A NEW VISION OF COMMUNITY LIVING

... a vision of choice and change

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Report of the

Community Living Transition Steering Committee

to the Honourable Gordon Hogg
Minister of Children and Family Development
British Columbia

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FINAL REPORT

AS APPROVED BY THE

COMMUNITY LIVING TRANSITION STEERING COMMITTEE

OCTOBER 22, 2002

This Version of the CLTSC final report does not include Section 9 - Appendices
To see Section 9, please refer to the full version posted on the Web at:
http://www.mcf.gov.bc.ca/change/cltsc_report.htm

NOTICE TO READER

This is the Final Report of the Community Living Transition Steering Committee. Formal approval of this report took place on October 22, 2002 as evidenced by the signatures affixed to the report on the following pages.

The members of the Steering Committee hope that readers will take some time to provide comment and feedback on the report and the recommendations included in the report. To facilitate this, the Steering Committee's website (**www.cltsc.bc.ca**) and the MCFD website (**www.mcf.gov.bc.ca**) both provide a means of direct and immediate access via email. Written comments can be sent to:

Ministry of Children and Family Development
Community Living Transition Steering Committee
PO Box 9771 Stn Prov Gov
Victoria, BC V8W 9S5

October 23, 2002

The Honourable Gordon Hogg
Minister of Children and Family Development
Parliament Buildings – Room 028
PO Box 99037 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister,

It is in the context of the following comments, Minister, that I am most proud to turn over to you the Final Report of the Community Living Transition Steering Committee. I share this pride with twenty four people who, together with me, have affixed their signature to this work. It is they who are responsible for the wonderful effort, vision, courage and determination that is so richly woven into the result. We now confidently propose something upon which we can build the future for people who live with a developmental disability and their families. Ten years from know I know we will look back upon this it and see it as such an obvious and good thing to have done.

It has been six months since you asked 25 people from the community and Ministry of Children and Family Development to work together to realize a wonderful vision. In accepting the appointment to serve you in this capacity, we were accepting the challenge to fulfill the mandate assigned to us:

> "*. . . make recommendations to the Minister defining the terms of the transition plan including determination of all financial, staff and other resources and all assets consistent with the Ministry's budget plan and incorporating all necessary elements and processes to successfully transfer the delivery of community living services to a new provincial authority.*"

You asked us to report out to you by September 30, 2002 in order to:

1) provide a framework for the creation of a community based governance structure for community living, and,

2) propose alternative delivery mechanisms which create more options for families and the opportunity for more self direction for people who live with a developmental disability.

These two fundamental tasks were to be carried out in a joint planning process with government and community at the table as co developers. We have met that challenge in a manner which overcame initial suspicions and which has attracted national and international attention for its innovation and openness.

It has been an extraordinarily challenging task, but I am honoured to say that our work together has been successful. In this long summer, we have been sustained by our overriding sense of support for the vision. In addition to your steadfast commitment that support has come in many forms:

- in the trust that came from individuals, families and organizations in community,

- in the support of our own families for missed vacations and our time away from them,
- in the constant humanity expressed in our relationships with each other as we struggled,
- in the candor and collaborative manner of Ministry of Children and Family Development staff,
- in the corporate and community financial support given by VanCity and the Vancouver Foundation, and finally,
- in the incredible job done by a team of consultants who gave so much more of their time and themselves than was ever billed or compensated.

Twenty five people, many of whom had not previously met or worked with one another, have struggled to understand the current situation and propose first steps to this new reality. Governance, finance, legislative, political, communications and technological issues needed to be braided together in such a way that the resulting recommendations to you were comprehensible, comprehensive, and achievable. The responsibilities that you gave to the Community Living Transition Steering Committee meant that our most vigorous advocacy was equally matched by a providential and profound sense of responsibility for the impacts of our recommendations on the lives of individuals, families, and our communities.

For all of the vision, tears, trust, dollars, hopes, intellectual energy, and goodwill that came to characterize this process, we have enormous cause to be thankful.

The Steering Committee has completed its work with unanimous support for five general directions. These are:

Community Governance

That there be created a Provincial Community Living Authority (the "new Authority") to take responsibility for community living services in British Columbia, and that in fulfilling its mandate the new Authority view the community as central to service provision and support to adults with developmental disabilities, children with special needs, and their families.

Choice, Independent Planning and Support

That the new Authority will reflect the principle that people must be ensured they have the support they need to become contributing citizens in their communities.

That the new Authority will view services as a means of ensuring that individuals have the opportunity to fully participate in their communities as contributing citizens.

That the new Authority be granted the requisite mandate and power to offer individualized funding and independent planning and support to all people with a developmental disability, children with special needs and their families who wish it.

Adults and Children Together

That the new Authority's mandate include supports for adults with a developmental disability, children with special needs, and their families.

Safety and Well-being of People

That during the process of transition to community-based governance, the government, the Interim Community Living Authority and, once established, the permanent new Authority, ensure that the safety and well-being of individuals with developmental disabilities, children with special needs, and their families be of paramount concern.

Resources in Transition

That the government will transfer to the new Authority all of the authorities, responsibilities, funding, assets and undertakings that constitute community living services, on the terms specified in the attached Report.

That the 2002-2003 resourcing levels for service and support for individuals and families be maintained for 2003-2004 and 2004-2005 to enable a successful transition of those services from government to the new Authority.

The attached Report provides a rich rationale and specific recommendations for the implementation of these resolutions.

We look forward with anticipation to your response and trust that we will all be proud to point to this effort as a real achievement in building caring and inclusive communities.

As we jointly prepare to take the next step in this bold project and our discussions with community, I leave with the thought embodied in folk wisdom "*a truthful word spoken will be heard for a thousand miles*".

Yours truly,

David Driscoll
Community Co-Chair
Transition Steering Committee

October 23, 2002

The Honourable Gordon Hogg
Minister of Children and Family Development
Parliament Buildings – Room 028
PO Box 9057 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister:

As the Ministry of Child and Family Development's appointed Co-Chair of the Community Living Transition Steering Committee I am pleased to present the committee's Final Report – *A New Vision for Community Living – a vision of choice and change.* The Steering Committee process was intended by you to bring individuals with disabilities, their families, supporters and service providers together with government to help the Ministry fulfill a vision of community-based governance. And we did come together. Along with Lynn Stevenson, Robin Syme, Muriel Hansen and Peter Cambridge who also represented the Ministry in this process, I have been proud of the collaborative effort that has been evident throughout the work of the Steering Committee. The personal effort of the support staff assigned to this project, in terms of their work but in terms of the spirit of teamwork they brought to the table, deserves a special mention – the ministry can be proud of the contribution of Frank van Zandwijk, Roberta Laughlin and Petra Young to this report.

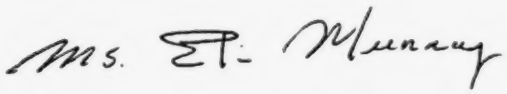
This report is the result of the excellent work and extraordinary commitment of all the Steering Committee members and the many other community and government people who participated actively in the work of the six Planning Committees created by the Steering Committee. The process reflected the strategic shifts identified in the Ministry's Service Plan – it was inclusive, open in its communication, and the community worked together with Government to define a working model for the transformation of community living services.

You gave the Steering Committee Terms of Reference and a composition that reflected your desire to have this process be community driven, enabling the community voice to be heard. My role as the Government appointed Co-Chair was to support this process and to participate in the joint effort to fulfill a common vision. The process and the resulting recommendations reflect a community perspective and incorporate the interests of individuals and families that arose during the public meetings held over the past three months.

I particularly want to thank David Driscoll, the Community Co-Chair, for his extraordinary facilitation skills and positive, problem-solving, solution-focussed approach in leading us through this process. And we owe a debt

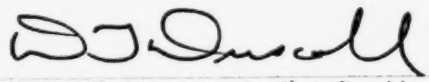
of gratitude to the members of the Steering Committee for their enormous contribution of time, for their commitment and for the sheer hard work they have done over the past five months. I know that ministry staff have been supportive of the Steering Committee process and have enabled the community voice to be heard. Much excellent work has been done that will inform the next stages of moving forward with the creation of "Community Living BC".

Yours truly,

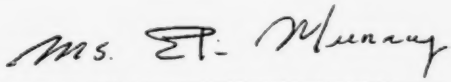


Elaine Murray
Ministry Co-Chair
Transition Steering Committee

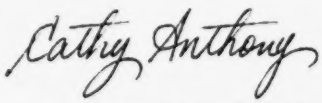
WE, THE UNDERSIGNED MEMBERS of the Community Living Transition Steering Committee, this 22nd day of October, 2002, do hereby present to the Honourable Gordon Hogg, Minister of Children and Family Development, this report representing our collective and unanimous recommendations to guide the government and the community in the process of transition to community-based governance.



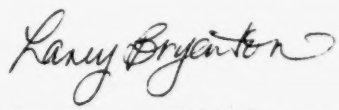
David Driscoll, Community Co-Chair, Port Moody



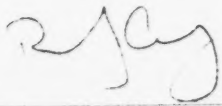
Elaine Murray, Ministry Co-Chair, Victoria



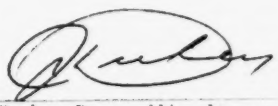
Cathy Anthony, Parent, Coquitlam



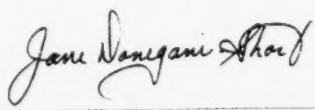
Laney Bryenton, BCACL, Vancouver



Peter Cambridge, MCFD Social Worker, Penticton

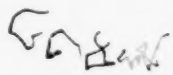


Jo Dickey, Parent, West Vancouver



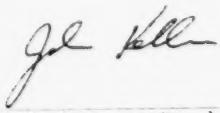
Jane Donegani-Short, Parent, Vancouver

Al Etmanski, Parent, White Rock

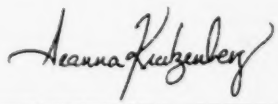


Cathy Grant, Self-Advocate, Vancouver

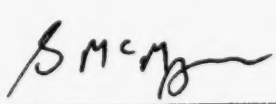
Muriel Hansen, MCFD CLS Manager, Surrey



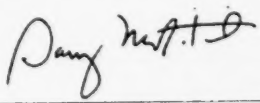
John Kehler, Parent, Revelstoke



Deanna Kratzenberg, Service Provider, Langley

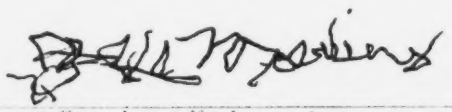


Graham McMynn, Service Provider, Kelowna

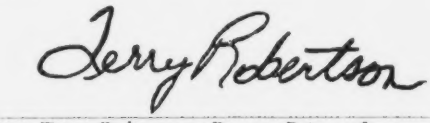


Garry Molitwenik, Service Provider, Vernon

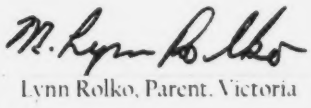
WE, THE UNDERSIGNED MEMBERS of the Community Living Transition Steering Committee, this 22nd day of October, 2002, do hereby present to the Honourable Gordon Hogg, Minister of Children and Family Development, this report representing our collective and unanimous recommendations to guide the government and the community in the process of transition to community based governance.



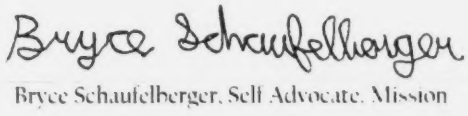
Jeff Moulins, Self Advocate, Vancouver



Terry Robertson, Parent, Prince George

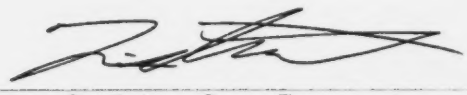


Lynn Rolko, Parent, Victoria

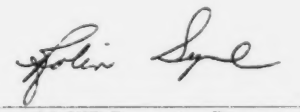


Bryce Schaufelberger, Self Advocate, Mission

Roberta Scott, Service Provider, Victoria

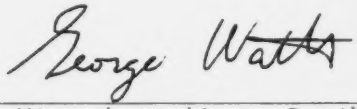


Tim Stainton, Parent, Tsawwassen

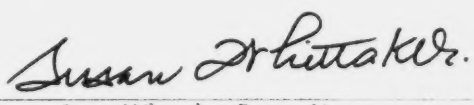


Robin Syme, MCFD Executive Director, Victoria

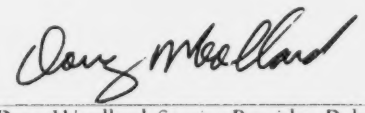
Ellen Tarshis, Service Provider, Victoria



George Watts, Aboriginal Services, Port Alberni



Susan Whittaker, Parent, Vancouver



Doug Woollard, Service Provider, Delta

NOTE: Staff of the Ministry of Children and Family Development participated in this process and embraced the community's vision of community living. In all cases their participation was in the spirit of collaboration and their contributions are reflected in many different areas of this report. It is important to distinguish between their role on the Transition Steering Committee and their role as staff members of the Ministry in that their participation and their signature on this report does not constitute an approval of the financial implications of this report or any commitment on behalf of the Ministry or Government.

David Driscoll [Community Co-chair] – Port Moody

David is a sociologist by profession and has worked in the housing, education and community sectors. He served for 20 years in public life including 10 years as Mayor of Port Moody. David has chaired most of the provincial organizations which are regionally and municipally based. He recently concluded a 6 year term as chair of the B.C. Assessment Authority. Since 1992 he has been the executive director of the VanCity Community Foundation. David is a life member of the Simon Fraser Association for Community Living and served for 10 years on boards and committees of the BCACL. I am very moved by the people in the CL movement who seek to improve all of our lives by making more inclusive and caring communities. So much of my heart is here.

Elaine Murray [Ministry Co-chair] – Victoria

Elaine Murray has thirty two years experience in the delivery and administration of social programs within the public sector, including nineteen years as a senior manager. In addition to providing day to day leadership in various regions in both the Lower Mainland and the North, she has led a number of major reorganizations of the Ministry structure. She has been a champion of community consultation and involvement as an integral component of the delivery of legislated multidisciplinary services. Elaine has also participated in a number of special projects, many of them relating to the delivery of contracted services. She was seconded to both the Korbin Commission and the Cross Ministry Contract Reform project, both of which resulted in substantial changes to government contracting processes. She was also a member of the Transition Team which led the initial creation of the Ministry for Children and Families in 1996. More recently, Elaine was the Regional Executive Director for the Simon Fraser Region until August 2001 when she was appointed as Assistant Deputy Minister, Regional Operations. She was appointed as the Ministry Co chair of the Steering Committee by Minister Hogg in April of this year.

Cathy Anthony – Coquitlam

Cathy is the proud parent of daughter Lani (born in 1979) and son Joshua (born in 1984), a delightful young man who lives with the challenges of an uncontrolled seizure disorder, developmental disability and other support needs. She has volunteered extensively as well as worked in family and individual support and advocacy positions, one as Executive Director of the Family Support Institute. Cathy credits her learning and passion to individuals, families, and her hero and teacher, son Josh. Through planning for her son and family, as well as from the inspiration of other families, Cathy became involved with Individualized funding (IF) three years ago.

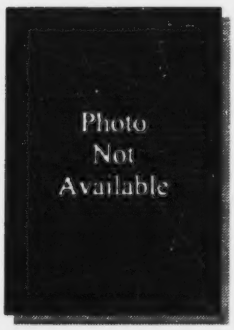
Laney Bryenton – Vancouver

Laney has been the Executive Director of the B.C. Association for Community Living since 1998. She has worked for over 25 years in the disability field in a variety of capacities including early childhood development, infant development and family support. Throughout the downsizing of Woodlands, Tranquille and Glendale Lodge, Laney was responsible for building community readiness and supports through her work in several community organizations. Prior to becoming Executive Director of BCACL she held the position of Executive Director at the Neurological Center (now the Center for Abilities) for four years and prior to that she was the ED for Community Ventures Society in Coquitlam.

Peter Cambridge – Penticton

Peter has enjoyed a variety of social work positions over the past 23 years in the Okanagan area. Since 1992 he has been working for Community Living Services in children, adult, and resource social work. Prior to working for the ministry, he gained experience as a supervisor for several non profit community programs. Peter's front line experience and knowledge contributed greatly to the work of the Accountability and Information Transfer Planning Committee. The same commitment he brings to his work with individuals and families is evident in the recommendations on personal outcomes and the respect for personal relationships. The experience of being a member of the CLTSC was both educational and rewarding for Peter as he witnessed the strong commitment from the members to provide a renewed focus on individuals, families, and the services that they require.

Linda Derkach – Port Alberni



Linda is the parent of a young woman receiving community living services, former teacher and school trustee in Port Alberni. She was Executive Director of the Port Alberni Association for Community Living and is currently preparing to leave her position (retire) as Director of Implementation, Adult Guardianship Legislation at the Public Guardian and Trustee of BC. Linda was previously on the Board of Directors of the BC Association for Community Living, and president of the Port Alberni ACL. Linda withdrew from the Transition Steering Committee on October 15, 2002.

Jo Dickey – West Vancouver

Jo is the parent of a young man with an intellectual disability and has been a long time advocate for system change. She is recognized nationally and internationally as a pioneer in the developmental disability field. Jo was a member of the Woodland Parents Group in British Columbia in 1976 that submitted a proposal to the provincial government to implement individualized funding and service brokerage. Jo has served in a variety of volunteer capacities including President of the Canadian Association for Community Living and has also represented Canada at various international disability forums.

Jane Donegani-Short – Vancouver

Jane has been known to describe her 22 year old son, Josh, as a handsome artist and percussionist who is enjoying an active life in his community. Josh can also be described as a young adult with cerebral palsy and multiple handicapping conditions. For the past 20 years, Jane has been a strong advocate supportive of enabling people with multiple disabilities to have the opportunity to live, work and play in their communities. In 1991, she received international recognition for her ongoing volunteer commitments supportive of deinstitutionalization, her support to families and her advocacy for more effective family support and community living options in British Columbia.

Al Etmanski – White Rock

Al is the parent of a young woman with an intellectual disability and co founder and Executive Director of the Planned Lifetime Advocacy Network (PLAN) which was chosen as an example of the 'charity of the future' in a study of 75,000 Canadian charities. Al is known for his interest in developing alternatives to legal guardianship, creating non profit social enterprises and his innovative use of non profit, profit and community sectors as problem solving partners. He is the author of *A Good Life – for You and Your Relative with a Disability* and co author of *Safe and Secure – Six Steps to Creating a Personal Future Plan for You and Your Relative with a Disability*. In 2002 Al became the first British Columbian to be awarded the prestigious 3 year Ashoka Fellowship which recognizes pioneers in the field of social entrepreneurship. Al has been instrumental in establishing both the Individualized Funding Family Coalition and The Community Living Coalition. Al sees the work of the Steering Committee as an unprecedented opportunity to shape a system from the ground up based on the hopes and dreams of individuals and families.

Cathy Grant – Vancouver

As a young child Cathy lived at Sunny Hill Hospital for Children and later lived in Pearson Hospital. Having experienced a range of community living options including life in a group home, semi independent living and co op housing, Cathy is a first hand expert in the range of residential planning options for adults with a disability. As a self advocate she has been a leader in the struggle to allow people with disabilities control over their own life and makes choices like where they want to live and who they want to live with. She has always tried to help individuals deal with the challenges of funding and policy changes.

Muriel Hansen – Surrey

Muriel is the Community Living Manager in the South Fraser Region. She has a long history with the community living movement going back to the late 1970's when she worked as a Social Worker in Tranquille and lived on the grounds with her husband and son. She has been extensively involved in community development work including several years in the capacity of Resource Developer during the initial downsizing of Woodlands. She served as Team Leader in Surrey, Delta and White Rock for 12 years before being appointed Acting CLS Manager. Her extensive knowledge of services and supports, coupled with her experience in the Ministry, contributed enormously to the work on the high level restructuring of the service delivery system done by the Governance Planning Committee.

Alanna Hendren – Vancouver

Photo Not Available

Alanna has been involved in the Community Living movement for 20 years. Since 1998 she has held the Executive Director position at the Developmental Disability Association (DDA), serving over 1600 individuals in a wide variety of infant, children, adult and seniors programs. Prior to coming to DDA, Alanna was the Executive Director of Semiahmoo House in Surrey for 10 years. Alanna received an Outstanding Contributions to Community Living recognition from the Ministry of Children and Families in 1996 at the completion of the institutional closures. As well, she was presented with the Certificate of Appreciation for Outstanding Contribution to the Field of Community Social Services from 1994 to 1996 by the Community Social Services Employers Association. Alanna withdrew from the Transition Steering Committee on September 17, 2002.

John Kehler – Revelstoke

John Kehler is a self employed roofing contractor, owning his own business in the city of Revelstoke, BC. He is the father of four children, one of which has a developmental disability. John is the Past President of the Revelstoke Community Connections and currently serves as Vice-President of the BC Association for Community Living. John has been at the leading edge of community development initiatives in his community that have helped to better serve families who need support. As Co-chair of the Services to Children with Special Needs Planning Committee John focus at the Steering Committee was seamless support for families and the creation of the Interim Joint Policy Directorate to oversee services to children with special needs.

Deanna Kratzenberg – Langley

Deanna has been involved in the community living movement for over 15 years. She is the principal of Milieu Family Services, a private company providing a wide range of residential and day program support for people with disabilities across the lower mainland. She has over 15 years experience in the developmental disabilities field and in 1996 Deanna received the Certificate of Recognition for Outstanding Contributions to Community Living for her work in helping close institutions in BC. Her academic background in Education has led to specialization in service issues in the area of autism.

Graham McMynn - Kelowna

Graham has been the human resources and labour relations Director of Western Management Resources and has managed the organization in this capacity for 13 years. Western Management provides service in the Okanagan region of BC. Graham's business experience contributed to the work on structure and organization undertaken by the Governance Planning Committee. Graham maintains a professional interest in the development and implementation of Information Technology and Management Information Systems.

Garry Molitwenik – Vernon

Garry has worked in the Human Service field for 40 years, and has been an executive director since 1984. Presently, he is executive director of a non profit society in Vernon known as NOCLS (North Okanagan Community Life Society). The society operates four homes and a day program. Garry and his wife Jeanne have lived in Vernon since 1991. They have three sons, two live in Vernon and the oldest lives in Canmore.

Jeff Moulins – Vancouver

Jeff was born in Halifax, Nova Scotia, and after living in Edmonton for 13 years his family moved to BC in 1985. On his 19th birthday, Jeff left home to live on his own in a group home. Jeff has had his own microboard since 1990 and has served on the Vela MicroBoard Board of Directors for several years. He is the driving force behind his personal society and regularly speaks to self advocates and families about choice and decision making. Jeff was a founding member of the Individualized Funding Family Coalition and one of the first members of the Community Living Coalition. He works part time as a documentary writer with his brother at Moulin's Media.

Terry Robertson – Prince George

Terry and her husband Gord have two children, Drew is 18 and Bree Anna is 15. Bree Anna has Cerebral Palsy. Through her desire to make her daughters life the best it could be, Terry started early on a path to gain knowledge and expertise on the services and the systems available to Bree Anna. Terry has facilitated a local support group for families for the past ten years. Her desire to gain knowledge around disability issues has lead her to become involved in founding the local Therapeutic Riding Association and seats on numerous school district, Ministry of Health and Ministry for Children and Families committees. Her provincial involvement includes 8yrs. on Sunny Hill Health Centre's Parent Advisory Council, 7 years as a Regional Resource Parent for Family Support Institute and for the past 3 years part of a family coalition hoping to have the government move to provide Individualized Funding to people with a disability and their families.

M. Lynn Rolko – Victoria

Lynn has been married to Oskar for 31 years. They are the proud parents of Nicole, 24 who lives with a developmental disability. Lynn is a long time advocate for individuals with developmental disabilities, families, caregivers and service providers. She is a past president of the BCACL and Victoria Association for Community Living and has served on several other boards both in Victoria and the Lower Mainland. Lynn was also an original member of the Provincial Community Living Council. Through her work with the Provincial Monitoring Group over the last five years has become well connected with individuals, families and caregivers through out the province.

Bryce Schaufelberger – Mission

Bryce has been president of the Mission Self Advocacy Group for the past seven years. He is one of the founders and on the Editing Team for the SelfAdvocateNet Web site and networks with self advocates all over the province. He is a member of the Mission Community Response Network for the adult guardianship laws. Bryce received the Volunteer of the Year Award from the Mission Association for Community Living for serving as a dedicated Board member. He is involved in many other Regional Community Living activities as well. Bryce said that serving on the Steering Committee was a pleasure and that it meant a lot to him. He also learned about what governance is and was involved with the Governance Planning Committee. He felt privileged to represent self advocates in trying to create a better life for them and believes the work of the Steering Committee will be for the better. His goal is a world where people live with decency, health and respect and are seen for their abilities, not their disabilities.

Robin Syme – Victoria

Before joining the Ministry of Children and Family Development in 1996 Robin was employed with the Ministry of Education for sixteen years. Since joining the Ministry of Children and Family Development she has provided policy leadership in the following areas: public health (i.e. public health nursing, speech, audiology, nutrition and dental), children and youth with special needs and their families, child welfare, children's mental health, community living services for adults and early childhood development. Robin's current position is Executive Director of Early Childhood Development and Community Living Services Division which has policy and program development responsibility for ECD, children and youth with special needs and adult community living.

Roberta Scott – Victoria

Roberta is a founding member and current President of the Community Residential Service Providers Association of BC (CRSP of BC). She has been a residential contractor for over 22 years, primarily in a Family Model Home where she currently supports adults with developmental disabilities. Roberta has participated on the board or as a member of Glendale Lodge Society, the Provincial Advisory Committee, the Community Living Action Committee and regional advisory committees in the Capital Region. She continues to serve on numerous advisory committees and boards including the Garth Homer Society Board. Roberta continues to strive for equal access and opportunities for all adults with developmental disabilities through her day to day advocacy efforts with the individuals she supports and through her numerous community capacities and involvements.

Tim Stainton – Tsawwassen

Tim's work and academic life has for 22 years been focused on the rights and self determination initiatives of people with disabilities and their families. He worked for many years as a service broker in Vancouver before returning to Ontario where he was Director of Policy and Programs for the OACL. He then moved to Britain where he completed his doctorate looking at the rights of people with developmental disabilities and individualized funding. He has taught at McGill, University of Wales Swansea, where he was Director Social Work, and currently is at UBC as an Associate Professor of Disability Policy, Theory and Practice in the School of Social Work and Family Studies. He has published numerous books and articles on individualized funding, disability rights, history, ethics and theory. He is active in a number of voluntary organizations and a member of the Community Living Coalition. With the arrival of their fourth son born with a developmental disability, his work and interests took a new sense of personal urgency. Tim chaired the Individualized Funding and Other Planning Options Planning Committee.

Ellen Tarshis – Victoria

Ellen Tarshis is the executive director of the Victoria Association for Community Living. Ellen has participated in many Ministry committees and has been involved in volunteer and professional activities during her many years in the community living movement. Her commitment to the movement is grounded in her family, and a brother who lives with a developmental disability.

George Watts – Port Alberni

George has lived in Port Alberni all his life. He is a member of the Tsechaht Tribe of the Nuu-chah-nulth Nation. He studied Chemical Engineering and Education at UBC and went on to become Band Manager for ten years between 1970 and 1980. He served as President of the Nuu-chah-nulth Tribal Council from 1970 to 1993. He is the principal of a strategic planning and organizational development practice and a senior member of the BC Aboriginal Network on Disabilities. George brings over 30 years of working with children and adults with disabilities and their families to the work of the Steering Committee. He was nominated to the Steering Committee by the President of the BC Aboriginal Network on Disabilities.

Susan Whittaker – Vancouver

Susan Whittaker is the mother of a young woman living with a developmental disability. Susan and her husband Ron have been tireless advocates for people with disabilities for more than two decades and have been strong voices in advancing the acceptance of Individualized Funding as a means of providing families and adults with more choices in their lives. Her appointment to the Steering Committee is an extension of the work she has done with the Individualized Funding Family Coalition and the Community Living Coalition to ensure that the voices of parents are heard. She brings a broad perspective to the work done by the Accountability Planning Committee as she has seen life for her daughter move from an institutional setting to a community group home and has been actively helping her pursue her dream living in a smaller and more natural setting. Susan has always believed that families know best and her work on the TSC is just another step along the way of helping people make their dreams a reality.

Doug Woollard – Delta

Doug is the Executive Director of Delta Community Living Society serving Adults with intellectual disabilities. Doug has been involved in community living for nearly 20 years as a volunteer, as a paid staff person and with the Ministry of Social Services, most recently as a Regional Director. He is committed to ensuring adults with intellectual disabilities, children and their families control, through informed choice, the decisions that affect their lives. He has advocated for a system of supports which places individuals with disabilities and families at its center. Doug chaired the Human Resources and Finance Planning Committee and was instrumental in the successful resolution to governance issues around children's services and the creation of the Interim Joint Policy Directorate.

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To see Section 9, please refer to the full version posted on the Web at:
http://www.mcf.gov.bc.ca/change/cltsc_report.htm

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Opening Comments

Report of the Community Living Transition Steering Committee

This report is the product of an investment of thousands of hours of time by individuals with a developmental disability, family members of children and adults with a developmental disability, community leaders, service providers and government staff who formed the Community Living Transition Steering Committee (the "Steering Committee").

Members of the Steering Committee share a vision of transforming the world of services and supports around adults with developmental disabilities, children with special needs and their families. A world in which support has most typically been seen as the supplying of services, to a world centered on support as a means to full citizenship and the opportunity for people with disabilities to contribute to their communities.

The Minister demonstrated his trust by recognizing that a move to community-based governance should be planned and guided through a joint collaboration of government and the community.

Under the leadership of Minister Hogg, and with his commitment to work with the community on transformation, this report lays the foundation for an environment of supports around people with disabilities and their families that:

- sees individuals with a disability as full citizens of their communities,
- honours and encourages their contributions,
- places trust in the capacity of individuals and families to lead their own lives effectively . . . to meet the challenges they face . . . and to develop their own support system,
- builds the strength of individuals and the resilience of families to move away from dependence on government services,
- is built upon the premise of respecting the decisions of individuals and families,
- builds capacity in communities that recognizes and values the contribution of people with disabilities, and,
- provides support to individuals and families when they need that support.

The Minister demonstrated his trust by recognizing that a move to community-based governance should be planned and guided through a joint collaboration of government and the community. The recommendations contained in this report build on that trust, and extends it to a fundamental change in the relationship between the government of British Columbia and people with disabilities and their families. This report defines key elements of a transformation that will establish new ground rules of respect for people with disabilities and their families. These include:

- a focus on individual and family support with independent planning at its heart;
- greater choice and new respect for those choices;
- a commitment to life long supports centered on helping individuals and families facing the challenge of life transitions;
- restructuring the role of government in its service provision relationship to community;
- a funding priority on individuals and families accomplished by reducing the size and presence of government and the complexity of regulation; and,
- a community development strategy that recognizes and respects the capacity already present in communities.

Section 1
How to Read this Report

Organization of this Report

This report plans a change in community living services that will establish British Columbia as the world's leader in social policy reform that honours the role of the family and respects the contributions of people with a disability.

This report presents to government the combined perspectives of our communities – the perspectives of self advocates, of parents and family members, of thought and opinion leaders, and of service providers. This report plans a change in community living services that will establish British Columbia as the world's leader in social policy reform that honours the role of the family and respects the contributions of people with a disability. The report is organized as follows:

- **Section One** – describes the layout of the report and familiarizes the reader with the use of certain terms and references contained in the report.
- **Section Two** – describes the Steering Committee and its approach to its work.
- **Section Three** – summarizes the need for change and provides an outline of "A New Vision for Community Living".
- **Section Four** – provides a graphic overview of the new governance structure.
- **Section Five** – provides an outline of the financial terms and conditions under which funding, responsibility, and authority will pass from government to the new community-based governance structure.
- **Section Six** – describes the key themes of the report with links to the specific recommendations and rationale included in Section Six.
- **Section Seven** – contains the detailed recommendations of the Steering Committee and the rationale for each recommendation.
- **Section Eight** – outlines, in brief, the next steps in the transition process including those that occurred and were completed as the report was in the final stages of approval and publishing.
- **Section Nine** - is an appendix containing a variety of supporting documents, including the full reports from each of the six Planning Committees:
  - Governance

- Accountability and Information Transfer
- Individualized Funding and Planning Options
- Services to Children with Special Needs
- Communication

The complete minutes of all Steering Committee Meetings are also included.

Extensive discussion of recommendations and background information is included within the Planning Committee reports that will provide useful information when considering the recommendations of the Steering Committee. For this reason, the recommendations [Section 7] are organized by the Planning Committee from which they originated.

Use of Terms within this Report

Throughout the process of work and meetings of the Steering Committee, the interests of people with a disability were represented at the table and respected by the participants.

The mandate of the Steering Committee, as set by the Minister, embraces support, services, issues and concerns of adults with a developmental disability, children with special needs and their families.

One of the persistent challenges was maintaining the focus of discussion without constant reference to people's disabilities through repeated use of terms such as *developmental disability* or *special needs*. This was accomplished at the table through the diligence of participants and regular reminders of our commitment. In a written report this is much more difficult.

To respond to this, at the suggestion of Steering Committee members, it was decided to define certain terms or terminology in this section and establish a standard reference, which would be maintained throughout the report. Accordingly, the following standards are employed from this point forward – the report uses:

- the terms "adult" and "adults" in place of "adult(s) with a developmental disability", "adult(s) with an intellectual disability" and "self advocate";
- the terms "child" and "children" in place of "a child with special needs", "children with special needs", a child with

an intellectual disability", "children with an intellectual disability", "a child with a developmental delay" and "children with a developmental delay";

- the terms "community" and "community based" to describe a representation of a broader community interest as opposed to a specific community;
- the term "Steering Committee" to describe the Community Living Transition Steering Committee which was struck by Minister Hogg on April 10, 2002, comprising 23 community representatives and 5 government representatives, which is the author of this report;
- the term "service providers" to describe the community based non profit, private and family care model home contractors that provide community living and related services to individuals and families;
- the term "new Authority" to describe a legal entity which would be created with the implementation of the recommendations in this report to assume authority and responsibility for community living;
- the term "new Commission" to describe a legal entity which would be created with the implementation of the recommendations in this report to provide independent planning support under the new Authority.

Therefore, as you read this report, unless the meaning of the statement is lost without distinction, no distinction is made in attributing perspectives to participants, and services are described as adult or children's services. Where a distinction must be made (for example, in describing the makeup of a Board or committee), the term "children with special needs" is used and "individual or adult with a developmental disability" or "self advocate" are used to describe adults with an intellectual disability.

Section 2
The Community Living Transition Steering Committee

The Community Living Transition Steering Committee

In October 2001 the Minister released the *Discussion Paper on Community Living Services*, which challenged the *status quo*, and challenged the community to help build something new and better.

In the fall of 2001, the Ministry of Children and Family Development, under the leadership of Minister Gordon Hogg, released a remarkably frank and thoughtful document entitled *Discussion Paper on Community Living Services*.[1] The Discussion Paper, which is addressed at some length in the next section, challenged the *status quo*, and challenged the community to help build something new and better.

In response, the Community Living Coalition, a community based group of hundreds of individuals with disabilities and their families, care providers, professionals and friends presented Minister Hogg with a proposal entitled *Transforming Community Living Services* (the Community Living Coalition "Proposal").[2] The Proposal identified conceptually how this transformation could be undertaken. The essence of the Proposal is captured in its statement of Policy Objectives, which are to:

- Take government out of a direct role in providing community living services to children and adults.
- Create a new governance structure for the delivery of supports to individuals with disabilities and their families – the Community Living Corporation of BC.
- Review all policies and regulation with a view to removing all barriers to individuals, families and communities finding their own solutions to the challenges they face.
- Provide funding to help individuals, families and communities meet their own needs through Individualized Funding and Direct Funding to Families.
- Encourage new sources of funds into the disability services system and acknowledge those contributions within the tax system (i.e. corporate and family).

[1] Ministry of Children and Family Development, A Discussion Paper on Community Living Services, October, 2001, http: /www.mcf.gov.bc.ca/change/cls_discussion.pdf

[2] The Proposal of the Community Living Coalition is included in Section 9.

- Enable government to meet budget and staff reduction targets and use the resulting savings to redirect funding to individuals and families waitlisted for support.

The Proposal also identified and addressed at a high level the goals, principles, elements, and benefits of such a transformation, and sought the support of the Minister and government for a more detailed analysis of the opportunity to restructure service delivery.

Minister Hogg viewed the Proposal favourably, and in April of 2002, demonstrated further leadership by establishing the Steering Committee, which, in his words was:

> *...created to transform the way services are currently delivered to adults and families within the community living sector. This committee will play an important role in the ministry's move from centralized decision making and a fragmented service delivery system, to one of enabling communities to develop and deliver services through a new provincial authority. This committee, reflecting the partnerships between families, self advocates, service providers and government, is charged with the responsibility of recommending to me, a transition plan to accomplish the transfer of authority and responsibility to a new provincial governance structure. I believe this will lead to more effective supports to adults, children and their families based on the following principles:*
>
> - *The right and primary responsibility of families to protect and support the growth and development of children and youth.*
> - *Government must acknowledge and reinforce the capacity of communities to support and enhance the resilience of children, youth and families.*
> - *The ministry should provide the minimal intervention necessary to ensure the safety and well being of our most vulnerable community members".*

The Steering Committee's mandate stated:

> *"...it will have the authority to make recommendations to the Minister defining the terms of the transition plan including determination of all financial, staff and other resources and all assets consistent with the ministry's budget plan and incorporating all necessary elements and processes to successfully transfer the delivery of community living services to a new provincial authority."*

The specific services within the Steering Committee's mandate are all existing community living services and supports to adults with a disability and their families, along with several services for children with developmental disabilities and autism. Parallel projects are being

undertaken by the Ministry to bring similar changes to a) the delivery of other service and supports to children, and b) services to aboriginal communities.

The Steering Committee consisted of family members, self advocates, service providers, community and advocacy leaders and government representatives. It was Co chaired by David Driscoll, Executive Director of the VanCity Community Foundation, and Elaine Murray, Assistant Deputy Minister, Regional Operations, Ministry of Children and Family Development.[3]

The Steering Committee was supported by senior staff within the Ministry of Children and Family Development and by consultants with relevant skills and experience.

To complete its task, the Steering Committee organized itself into five planning committees focused on key issues and an advisory group on communications. Specifically:

- Governance
- Accountability and Information Transfer
- Individualized Funding
- Human Resources and Finance
- Services to Children with Special Needs
- Communications Advisory Group

These Planning Committees included additional community members and people with specialized skills who were not themselves Steering Committee members.[4] The Planning Committees engaged in five months of intense and detailed studies, deliberations, and planning on their assigned topics, and reported their progress regularly to the full Steering Committee.

Each Planning Committee produced a report, which along with the report of the Communications Advisory Group, are included with this report.[5]

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[3] A List and short biography of all Steering Committee members can be found in Section 9.

[4] A list of Planning Committee members can be found in Section 9.

[5] The reports of the five Planning Committees and the Communications Advisory Group are included as appendices in Section 9.

Section 3
A New Vision for Community Living

Background

Throughout the Steering Committee process, much has been made of lofty public policy descriptors like a "common vision", of "coming together", and of "partnership between government and community". This is not unusual. When government invites members of the public into discussion of policy and service direction, talk of this nature is commonplace. What is unusual in this case is that within the Steering Committee, and all the meetings and informal exchanges that contributed to its work, the idea of common vision and working together was stronger at the end of the process than it was at the beginning.

What is unusual in this case is that within the Steering Committee, and all the meetings and informal exchanges that contributed to its work, the idea of "common vision" and "working together" was stronger at the end of the process than it was at the beginning.

There is good reason for this. Almost a year ago, Minister Hogg issued the *Discussion Paper on Community Living Services* in which he shared the challenges and opportunities of his Ministry. Upon reading the discussion paper, a parent described her reaction as "the first time in my life I have seen anything from government that treats families with such respect". In the context of this report and the recommendations of the Steering Committee, the discussion paper is an important element. In part, it spoke of the need to reform a system in terms that everyone in the community could understand . . .

> *"If we want to provide exemplary service in community living we cannot proceed, as we have in the past, with incremental changes and program compromises...."*
>
> *"Perhaps even more important, is our need to break out of the system of social services we have developed that is predicated on the basic tenet that professional intervention is the initial and primary response. We are collapsing under the weight of our experience. It is simply too expensive to be responding to every community need through professional intervention. No matter how much money we have, it will never be enough."*
>
> *"Aside from affordability, our approach has often been characterized as disenfranchising and disempowering those who best know what services and supports are required to assist persons with developmental disabilities to independence – their families, their care givers and their communities. We have imposed ourselves in ways that have proven to be both unhealthy and unsustainable."*

"We have to change our approach. We need to recognize that it is the community that has been the incubator of innovation – with a healthy history of partnerships and entrepreneurship, they have helped us blaze new trails. The new government has recognized the value in this approach. Through the core review process that is now underway across government, policy and service issues are being examined through a lens focused on community involvement and governance, ownership and accountability, local decision-making, transparent processes, reduced bureaucracy and deregulation."

"We are aware of a strong community-based initiative now underway, involving both service providers and families, to define governance and service delivery structures that meet the need of the community living sector. We welcome their participation in considering the design issues around devolution of service responsibility and authority."

"We will encourage this work and build upon it."[6]

"... the acknowledgement that the days of tinkering with the ministry and its operations were over ..."

There were four messages in this short excerpt that struck a resonant chord in the community. They are: the acknowledgement that the days of tinkering with the ministry and its operations were over; that a system had to emerge that was based on people's contributions not their deficiencies; the recognition that people were already at work in the community in pursuit of system reform; and the invitation to help government do the same.

Our province once led the world in the embodiment of community living goals and ideals in supporting individuals and families. British Columbia was one of the first jurisdictions in the world to close institutions and in the decade of the 1980s created some remarkable means of supporting families. The At Home and Associate Family programs, stand as lighthouse thinking twenty years later.

Is this system sustainable in a world where waitlists for services have grown every year for ten years?
Does a system based almost entirely on services make sense?

Interest was already high in the community. Individuals and families were concerned about the same things the Minister was concerned about. Is this system sustainable in a world where waitlists for services have grown every year for ten years? Does a system based almost entirely on services make sense? Have eligible adults, now free of the institutional environment, been able to assume their rightful role as citizens in their communities? Can we make sense out of the way families with children with special needs are supported? The discussion paper landed in the midst of this interest and helped give it focus. It challenged all of us to participate in planning for fundamental change – a change as important as the closure of the institutions.

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[6] Ministry of Children and Family Development. A Discussion Paper on Community Living Services. October, 2001.
http://www.mcf.gov.bc.ca/change/cls_discussion.pdf

A key element upon which agreement emerged is that if true reform is going to occur, it will only occur if the community takes the lead. The idea of transferring authority and responsibility from government to the community is affirmed.

The concept and inherent challenges of community based governance were already the topic of much debate amongst self advocates, families, service providers, advocacy organizations and community leaders. It was several months before there was a common understanding of the opportunities and risks and before a common commitment was made to take up the Minister's challenge.

On April 10, 2002, Minister Hogg extended a formal invitation to 23 community representatives to work with government to realize the vision of community governance.[7]

Too often practice intended to support people with developmental disabilities still reflect a custodial perspective that views people with disabilities as "deficient" and needed to be "fixed". Their gifts and contributions are rarely seen and even more rarely appreciated.

The Vision: A New Way of Supporting People

The current system is built predominately around services. Too often regulation, policy and practice intended to support people with developmental disabilities still reflects a custodial perspective that views people with disabilities as "deficient" and needing to be "fixed." Their gifts and contributions are rarely seen and even more rarely appreciated. An unintended consequence is that community capacity, the idea of "neighbours helping neighbours" has been diminished by the unswerving focus on services.

Basic Principles

The Steering Committee created the opportunity to build an approach that has been uniquely crafted by Steering Committee members and is founded on a few basic principles. An approach that:

- Recognizes all people have gifts and contributions to make as citizens of their communities;
- Considers services as just one means by which people are supported to contribute as citizens;
- Shifts the focuses away from the supply of programs and services to more flexible supports as the primary response to adults, children and their families in need;

[7] The evolution of this process is more fully discussed in Section Two – The Community Living Transition Steering Committee.

- Views adults, children and their families, along with friends and personal networks, as having the capacity to solve their own problems;
- Ensures that individuals and families have choice in terms of how they meet their unique challenges including the choice of Individualized Funding;
- Provides independent planning support to preserve the quality of choice;
- Welcomes the contributions of families and others in the system;
- Represents the highest and best use of public funds, with greater accountability and increased value for money spent;
- Reduces the amount of regulation and bureaucracy involved in the delivery of support to families and individuals; and
- Builds resilience in families and individuals reducing dependency on expensive government services;
- Encourages innovation and creativity;
- Moves from a "needs based" system to one that is capacity and asset-based;
- Sees community development as an economic stimulus and opportunity for communities;
- Is founded in relationships built on trust;
- Makes a commitment to life-long support for both children and adults;
- Builds on relationships and current capacity already in communities.

Some of these principles guided the work of the Steering Committee from the outset. Others were added as the work of the various Planning Committees progressed. All are reflected in the recommendations in this report.

Transferring Governance and Authority: Placing Responsibility with Community

There will be a new provincial authority (the "new Authority") responsible for support to adults, children and their families. This new Authority will be created by legislation and will assume responsibility and authority for community living services. The Steering Committee is recommending that the new authority be called *Community Living British Columbia.*

The Board of the new Authority will be made up of 13 people from across the province that represent the combined interest, experience, skills and qualifications to oversee an undertaking on this scale. Of the total of 13 Board Members, at least seven will be family members or self advocates with at least 2 being self advocates. Of family members, at least 2 will be parents of minor children. At least one Board Member shall be required to come from each of the five macro regions of the province.

The Board of the new Authority will be made up of 13 people from across the province that represent the combined interest, experience, skills and qualifications to oversee an undertaking on this scale. Of the total of 13 Board members, at least seven will be family members or self advocates.

The initial Board of Directors will be appointed by government through a nomination process overseen by the Board of the Interim Authority that enables communities to propose Board members. Thereafter, Directors will be appointed by government through a Nominating Committee under the Board of Directors of the new Authority that similarly provides for and encourages nominations from the community. Flowing out of this community based nomination process, the Nominating Committee of the new Authority would recommend candidates to the Minister for appointment.

The new Authority reflects a core focus of the Steering Committee's recommendations – the intent to build on existing capacity in communities and to stimulate the development of new capacity. To fulfill these intentions, the recommendations aim at reducing bureaucracy and regulation wherever possible while at the same time protecting those functions at the community level that ensure the safety and wellbeing of individuals and families.

While some of the functions and responsibilities listed below have traditionally been provided by government through Ministry of Children and Family Development staff, we do not believe they must be provided this way any longer. This is a key part of the strategy that respects relationships at the community level and that stimulates community development. It is intended that in the next phase of transition, when detailed operational planning will occur, this will be reflected in two overarching principles:

1. a presumption that unless restricted by statute the Authority should pursue means of delegating function and responsibility to communities by contract, and
2. preserving relationships that already work well by honouring community choices wherever and whenever possible.

These principles recognize that much of the mandate of the new Authority represents a collective responsibility, and is best approached within a framework of partnership between the new Authority and our communities.

PROVINCIAL SCOPE

- *The new Authority will have the mandate to provide all community living support to adults, children and their families and will have the powers necessary to manage, at a minimum, the following responsibilities:*
- *Strategic and operational planning*
- *Financial and asset management*
- *Administrative and systems management*
- *Relationships with other ministries and the new Joint Policy Directorate*
- *Legal services*
- *Communications*
- *Policy development*
- *Contract management*
- *Tertiary planning*
- *Eligibility assessment determination*
- *Funding determination and allocation*
- *Independent problem solving and dispute resolution process*
- *Waitlist management*
- *Critical incident and crisis management*
- *Designation under Part 3 of the Adult Guardianship Act*
- *Support for adults without unpaid independent personal supports or adults at risk*
- *Community development and capacity building*

LOCAL SCOPE

"... the intent to build on existing capacity in communities and to stimulate the development of new capacity. To fulfill these intentions, the recommendations aim at reducing bureaucracy and regulation wherever possible while at the same time protecting those functions at the community level that ensure the safety and wellbeing of individuals and families."

Government will own the new Authority, and the Minister of Children and Family Development, should be the Minister responsible for the new Authority.

The Minister's responsibilities should include the provision of adequate and reasonable funding, matters of public policy and broad public interest and all statutory accountability mechanisms, which are the government's prerogative. This satisfies the strong desire of individuals and their families that government remains accountable for providing reasonable and adequate funding for community living.

A New Relationship in Communities: The Creation of Independent Planning Support Centres

In almost every other jurisdiction that has attempted reform on this scale, particularly where the introduction of individualized funding was a part of that reform, an independent planning support function was seen as critical.

There has been a continuing strong message from individuals and families around the need for community-level planning, support and advice designed to help them access support – programs, services, or creative community responses. This message has often been expressed in the past as government getting in the way of communities developing their own capacity to support people and their own means of supporting relationships.

This message was reinforced in community feedback sessions and video conferences held during the Steering Committee process. Imbedded in the messages from communities was a desire to end the adversarial, sometimes confrontational, role that families find themselves in when seeking services for their children. Individuals and families want collaboration and cooperation to characterize the new relationship. They also want to ensure that there is no reduction of service at the local level, as has often occurred with regionalization and reorganization of other services in the past.

Some organizations that provide the majority of services are concerned that a move to community-based governance will disrupt relationships that are already working very well for families and individuals. The feedback received during the Steering Committee process reinforced and encouraged the focus on capacity-building and support for community development. As a result you will see community capacity and community development as the two prominent, recurring themes of this report.

There was another major factor influencing the Steering Committee work in this area. In almost every other jurisdiction that has attempted reform on this scale, particularly where the introduction of individualized funding was a part of that reform, an independent planning support function was seen as critical. In those jurisdictions where it was not provided, for example in Alberta's reforms of the late 1990s, the move to community-based governance has brought very mixed reactions from individuals and families. Without a local community presence, focused on helping individuals and families, the system-wide reforms contemplated in this report are at much greater risk of failure.

The Steering Committee recommends the creation of an operationally independent Planning Support Commission (the "new Commission") that will oversee the establishment of Planning Support Centres in larger communities and will provide locally delivered planning support services in smaller communities wherever individuals and families need them.

This is a critical element of the reformation of the system – establishing a focus on working with individuals and families within a "solution-seeking" framework where services are just one option.

Independent Planning Support Centres would become a primary interface between communities and the new Authority. The new Authority itself would be limited to a central office with minimal regional operating presence, thereby redirecting funds to individual and family support through Individualized Funding or expanded services. This is a critical element of the reformation of the system – establishing a focus on working with individuals and families within a "solution-seeking" framework where services are just one option. The availability of operationally independent planning support leads down a more creative path.

The availability of operationally independent planning support leads down a more creative path.

- A path away from reliance on conventional programs towards more flexible supports.
- A path away from a growing dependency on services toward supporting independence.
- A path away from government programs toward community involvement in developing solutions.
- A path that leads to cooperative planning that takes advantage of capacity that already exists in communities and that excites an interest in creating new capacity.

A path that builds on existing community development strengths and encourages and enhances the creativity that is really only possible when individuals, families, service providers and the greater community work together.

The new Commission will:

- provide information, advice and planning support to eligible children, families and adults;

- collaborate with individuals and families to develop effective, community-centered support plans,
- have limited decision-making capacity such as initial eligibility for planning support based on broadly defined criteria, but have no authority over funding, allocation or final eligibility;
- assist families in seeking appropriate support from the new Authority;
- work collaboratively with, but operate independently from, funders and service providers;
- be available at the discretion of families with children, individuals, family members, friends and personal networks;
- recognize the family unit in relation to supporting children;
- recognize the essential roles played by personal networks and gives them status;
- work to enhance the capacity of communities to respond to people with disabilities by recognizing their gifts and welcoming them into their neighbourhoods.

However, in order for the Authority to fulfill its mandate, it is recognized that there would be effective and efficient communication founded in a clear description of roles and responsibilities between the Commissioner and the Chief Executive Officer of the new Authority and between the Planning Support Centre staff and Authority staff.

The new Commission would be created by legislation and regulation and would be accountable to the new Authority, but would remain operationally autonomous. The five members of the new Commission would be appointed by the Board of Directors of the new Authority from nominations received from communities. At least three of the five members would be family members of a person with a disability. The members of the new Commission would oversee the work of a Commissioner who would ensure that staff carries out its planning support operations.

Operational independence would be created by respecting a degree of autonomy through the reporting relationship of the Commissioner to the new Commission and then on to the Authority Board of Directors. However, in order for the Authority to fulfill its mandate, it is recognized that there would be effective and efficient communication founded in a clear description of roles and responsibilities between the Commissioner and the Chief Executive Officer of the new Authority and between the Planning Support Centre staff and Authority staff.

There are three safeguards that the Steering Committee recommends be established to protect the operational independence of the new Commission.

1. A requirement that the new Commission independently produce an annual report, which should be conveyed without amendment by the Board of the new Authority to government and the Legislature.
2. A process that ensures appropriate individual and family oriented training and certification of all staff employed by the new Commission to provide planning-related supports.
3. A funding mechanism based on a fixed formula to ensure the continuity and stability of funding for the new Commission.

The Steering Committee recommends the establishment of 12 to 15 community-based Information and Planning Support Centres across the province to function as points of contact and service for people with disabilities and their families, and to provide outreach services to smaller communities.

Establishment of up to 15 community centres allows the new Authority, through the new Commission, to address fears of centralization or regionalization expressed by families.

Establishment of up to 15 community centres allows the new Authority, through the new Commission, to address fears of centralization or regionalization expressed by families. In addition to the typical locations that people have come to expect (Victoria, Vancouver, Kelowna, Prince George), there would be:

- A mid island centre on Vancouver Island,
- a centre in each of the East and West Kootenays,
- a centre in the Kamloops Thompson area,
- four centres in the lower mainland, and,
- a centre in each of the north west and the north east.

Smaller communities would be served by locally-based or mobile staff that comes to individuals and families rather than the other way around.

Smaller communities would be served by locally-based or mobile staff that comes to individuals and families rather than the other way around.

In every case, planning support resources would be the creative energy that stimulates community response to individual and family need. These planning and support resources will look first to solutions that already exist with families and in communities and only when those solutions cannot be found, will they look to specific, flexible and targeted supports to help individuals and families meet their challenges. When individuals and families need specialized services and supports, planning support resources will be there to work with individuals, their families and service providers.

These Community Planning Support Centres will have responsibilities that are fundamental to the principles that are reflected in the recommendations of the Steering Committee:

- identifying means by which individuals/families can secure the support they need without relying on public funding;
- exploring support options that are outside of the traditional service based network;
- encouraging collaboration and cooperation among individuals and families in identifying support options;
- applying for needed services or supports;
- working with service providers to develop more flexible options to address needs, including mediating problems and disputes;
- providing expertise, insight and experience to help individuals and families develop personal support plans;
- when and where there is interest, encouraging individuals, families and service providers to work together to "individualize" block funded contracts;
- assisting individuals and families to resolve crises without reliance on the service system;
- assistance to negotiate Individualized Funding;
- expertise and encouragement to use Individualized Funding, including an "enterprise" focus on developing alternative supports that incorporate employment for people with disabilities (e.g. worker or social co ops, or small businesses); and
- ensuring people with disabilities can access advocacy and personal decision-making supports, including Representatives where appropriate.
- Staff of the new Authority and of the new Commission will work together with communities to develop strategies that suit their communities.

These planning and support resources will look first to solutions that already exist in communities and only when those solutions cannot be found, will they look to specific, flexible and targeted supports to help individuals and families meet their challenges. When individuals and families need specialized services and supports, planning support resources will be there to work with individuals, their families and service providers.

Increasing Choice: The Introduction of Individualized Funding

The new Authority will have the legislative mandate and capacity to provide individualized funding as an option for those who wish it.

Individualized Funding allocates funds directly to individuals, or in the case of children, to their parents or guardians, to provide the support necessary to meet disability-related needs and to assist individuals to become contributing citizens. The amount of funding is determined by direct reference to the individuals' and/or families' specific needs, and the individuals and/or families determine how funds are used to meet those needs, within legal and policy limits.

Individualized Funding is another key element of the reforms recommended by the Steering Committee. Individualized Funding allows for an infinitely graduated range of supports intended to build in the flexibility to give individuals and families the capacity to meet needs as they arise.

Individualized Funding is a means of keeping families together; of bridging gaps; of meeting the challenges of life's great transitions; of reducing dependency on higher cost services; of inviting communities to respond in ways that suit that community and that person; of inviting new contributions into the system.

The key features of the Individualized Funding system will include:

1. *allocations based on a support plan that identifies disability related needs developed by the person with disabilities and, where appropriate, their personal network and trusted advisors;*
2. *supports available to assist individuals and families to use and manage individualized funding;*
3. *portability throughout the province;*
4. *straightforward access with transparent, understandable policy and regulation;*
5. *information to help individuals and families better understand funding limitations and to explore alternative options when resources are subject to waitlist and a requirement that the funding and allocation decisions of the new Authority be defined by and grounded in policy approved by the Authority's Board;*
6. *an independent problem solving and dispute resolution process;*
7. *the requirement to address requests by individuals and families to renegotiate funding due to crises or changing needs and circumstances in a timely and responsive manner;*
8. *equitable access across a range of needs for eligible individuals, subject to limits imposed by the fiscal resources and mandate of the new Authority.*

Experience around the world has made it clear that Individualized Funding has many advantages over the status quo. It provides choice, where none existed previously. This introduces a market dynamic anchored in consumer choice that then leads to improved service quality, reduced inefficiency, lower costs and better value for money

This introduces a market dynamic anchored in consumer choice that then leads to improved service quality, reduced inefficiency, lower costs and better value for money

than block funded services. In addition, individuals and families who receive Individualized Funding have very high satisfaction levels because they are empowered to direct their own lives.

Transparency and Accountability: Expecting to be Held Responsible by Individuals and Families

Overarching the entire accountability framework are the concepts or "service outcomes" and "personal outcomes". These two distinct outcomes are defined in the recommendations for the specific purpose of ensuring the new Authority meets the needs of individuals and families.

The effectiveness of the accountability relationship is based on a common understanding of, and clear commitment to, the goals and principles that support the relationship.

Accountability, information transfer and information management for the new Authority will be implemented by policies that:

- Begin with a premise of trust and respect in all relationships;
- Remove barriers to families with children, individual adults and families, service providers and communities finding their own solutions;
- Determine, manage and evaluate results in terms of each individual's relationships with family, friends and community;
- Respect the knowledge and experience of families with children, of adults and their families and of their friends and service providers;
- Respect the dignity and privacy of the individual; and,
- Ensuring that all information collected for governance, accountability and management purposes meets the highest standards of usefulness, necessity, reliability, privacy and confidentiality.

Overarching the entire accountability framework is the separation of the concepts of "personal outcomes" and "service outcomes". These two distinct outcomes are defined in the recommendations for the specific purpose of ensuring the new Authority meets individual and family needs.

Personal Outcomes are defined as those more subjective and personal goal-oriented elements that are so important to every individual and family and critical to the quality of life and the relationships of any person supported by the new Authority. Personal Outcomes are

determined by the Individual or the family in the case of children, along with family, friends, network members and others.

Service Outcomes are defined as those more basic and objective elements of support ranging from the provision of food, shelter, warmth, and safety to the provision of an individualized living space – these are determined by the new Authority.

The new Authority will be responsible for allocating the resources available to it in a manner that best supports the achievement of outcomes and is, at all times, responsible for achieving service outcomes and supporting individuals, their networks and families to achieve their personal outcomes.

The new Authority, within the accountability framework recommended by the Steering Committee, will be required to maintain an open, transparent and participatory communication process that includes the circulation of information relating to the performance against outcomes to individuals, families, service providers and the community.

Maintaining the Public Trust: Accountability to Government and the Public

The Steering Committee accepts fully government's requirement to hold the new Authority accountable for the expenditure of public funds. It accepts that this requirement extends through the new Authority to the manner and nature of specific expenditures made by recipients of funds as well as aggregated expenditures of the Authority itself.

The Steering Committee addresses this public level accountability with a series of recommendations, which include:

1. the requirement that the Authority at all times must operate within financial parameters set by government;
2. the requirement that the Authority not be permitted to run a deficit without the permission of the Minister;
3. the requirement that the Authority must first seek and obtain permission from the Minister of Finance before being permitted to borrow funds from the treasury or any other source.

"... the requirement that the Authority at all times must operate within financial parameters set by government ..."

"... the requirement that the Authority not be permitted to run a deficit without the permission of the Minister ..."

It is fundamental to maintaining the public trust that the new Authority meets the highest standards of internal financial accountability, particularly in view of the provision of Individualized Funding. To secure this, the Steering Committee has developed a comprehensive series of recommendations that address principles and standards of management, accountability and reporting.[8]

Responding to Need: Addressing the Waitlist by Building Community Capacity

One of the primary goals of the Steering Committee process was to build a strategy to meet the needs of those who currently receive no support or not enough support.

Part of this strategy is reflected in the recurrent theme of taking better advantage of existing capacity within communities to respond to situations where need exists. This is particularly true of families with younger children. But simply taking advantage of existing capacity is not enough – new capacity must be created.

In the immediate term, the Steering Committee developed a comprehensive plan to stimulate additional capacity within the service agencies already under contract to provide services.[9] This would come primarily from two sources – administrative efficiencies within the current government system and by increasing service delivery productivity and capacity. The funds available from this increased capacity will be used at the service delivery level, either through reduction in spending or an increase in services provided.

This would come primarily from two sources – administrative efficiencies within the current government system and by increasing service delivery productivity and capacity. The funds available from this increased capacity will be used at the service delivery level, either through reduction in spending or an increase in services provided.

Specific objectives for creating capacity at the service delivery level approved by the Steering Committee include:

1. decreasing the cost per unit of residential and other services;
2. increasing individual's capacity to become and remain more independent;
3. increasing the number of individuals served;

[8] For a detailed discussion of these measures see Section 7 Recommendations 29 through 34 and Section 9 for the Report of the Accountability and Information Transfer Planning Committee.

[9] For a detailed discussion of this plan see Section 9 for the Report of the Human Resources and Finance Planning Committee, Pages 10 - 19

4. increasing the support provided to families (counseling, behavioural and communication supports, respite, family development, planning services);
5. increasing the use of existing natural, unfunded community capacity;
6. increasing service providers ability to provide services in an environment of Individualized Funding;
7. increasing the use and value of information technologies.

The Steering Committee also identified several conditions necessary to stimulate cost saving initiatives at the service delivery level which will be expanded upon during detailed operational and financial planning in the next phase of transition:

1. assurance that efficiencies will be quantified and recognized against future cost saving expectations on an agency-by-agency basis;
2. greater flexibility in the contract terms governing the expenditure of funds;
3. protecting agencies from any penalty of wage lift claw back when services move to non-union delivery;
4. settlement of outstanding issues around collective agreement funding;
5. flexibility in modifying existing contractual outcomes and deliverables;
6. clear and shared accountability structures and methods of resolving conflict effectively and efficiently when it arises;
7. encouragement and support to implement and test innovative models of support, administrative structures and use of technology to create efficiencies;
8. encouragement and support for pilot projects at the agency, community and regional level;
9. greater flexibility in the utilization of MCFD staff in different roles during transition;
10. increased understanding that efficiencies may vary agency by agency, by community and by region depending upon existing conditions;
11. open, straightforward sharing of information and the development of collaborative planning processes between the Ministry and service providers during transition.

The Steering Committee also identified several conditions necessary to stimulate cost saving initiatives at the service delivery level which will be expanded upon during detailed operational and financial planning in the next phase of transition.

In the near term, the partnership formed between individuals, families and service providers will enable functional change to the contractual

relationship that currently exists between government and service providers. These changes will introduce new capacity into the current service delivery system.

For the longer term, the recommendations to establish the new Authority reflect a concentrated focus on delivering more of the existing public funding directly to the people who require the support. This will be accomplished by reducing the size of the bureaucracy and systems currently in place that manage and regulate community living services.

For the longer term, the recommendations to establish the new Authority reflect a concentrated focus on delivering more of the existing public funding directly to the people who require the support. This will be accomplished by reducing the size of the bureaucracy and systems currently in place that manage and regulate community living services.

In the longer term the mandate and authority to provide individualized funding will enable containment, and even lowering, of costs.

Preserving Supports and Services: Reducing the Regulation and Bureaucracy of Service Delivery

Fundamental to controlling the growth of community living expenditures under the Authority is a major transformation in the ways government supports people facing the challenge of living with a disability. Although this objective has been clearly stated by government, it is shared by the community. For the community the need is to secure savings and redirect those savings to supporting individuals and families on the waitlist, in some cases for five years or more. Much of this report is focused on system-wide, comprehensive change including:

- introduction of Individualized Funding;
- moving from a world characterized by the supply of services to one of flexible support;
- a focus on the increased use of existing capacity in communities;
- stimulation of community development initiatives to expand capacity;
- effective partnerships between individuals, families, service providers, and the new Authority that will result in the redirection of existing investment away from more expensive services to les expensive, individualized, family-like support.

The only difference between the government perspective on community living services and the community perspective is the ultimate use to which savings are put. In the current fiscal environment, government seems intent on identifying and capturing savings to assist in the overall budget-cutting, budget balancing exercise. The community has been equally clear in their intent to identify and capture savings to provide services to adults, children and their families who have too long been waitlisted for even basic supports.

In the current fiscal environment faced by the Ministry, and ultimately by the new Authority, developing trust between the parties, let alone securing their mutual cooperation and commitment, is an enormous challenge. There is great fear at the Steering Committee and across the province that the opportunity for significant longer term gains for government and for community are going to be sacrificed to a very short term fiscal imperative. Despite this, the recommendations of the Steering Committee have embodied within them a dramatic restructuring that will significantly reduce the bureaucracy and regulation associated with the delivery of community living support and services, including:

There is great fear at the Steering Committee and across the province that the opportunity for significant longer term gains for government and for community are going to be sacrificed to a very short term fiscal imperative. Despite this, the recommendations of the Steering Committee have embodied within them a dramatic restructuring that will significantly reduce the bureaucracy and regulation associated with the delivery of community living support and services.

1. a dramatic reduction in the number of FTE, the number of offices and all related costs in the design of the new Authority compared to the current MCFD structure;
2. elimination of government offices at the community level and elimination or reduction in size of regional offices;
3. a new community presence in the form of individual and family planning support centres with the full cost of these centres funded within the existing budget levels;
4. moving to global contracts that remove restrictions on expenditures in exchange for a requirement that all block funded service providers increase their level of service by 3% to 7% thereby helping to address waitlists and lowering the average cost of service for both day program and residential services;
5. creation of a single Provincial Authority operating primarily from a centralized provincial location with a flat organizational structure that empowers staff to work with communities to take responsibility and authority in respect of community level services and decisions;
6. taking advantage of existing infrastructure and avoiding the costly duplication of infrastructure associated with regional organization;
7. a new level of transparency and trust in the relationship between government and service providers that will allow

the Authority to deploy cost containment strategies that are supported at the community level increasing the likelihood of success.

Section 4
The New Vision
An Organizational Overview

A Structural Overview

The organizational structure that will be created through the implementation of the recommendations reflects the principle of operational independence of the new Planning Support Commission with the acknowledgement that both have to work closely together to fulfill their respective mandates.

The previous section has described the new community living governance authority in terms of function, responsibility and its operational presence. This section is intended to provide, in high level, overview form, a visual representation of the structure and key relationships within the structure. The graphical overview of the new structure appears on the following page.

Working Together with Operational Autonomy

The organizational structure that will be created through the implementation of the recommendations reflects the principle of operational independence of the new Planning Support Commission with the acknowledgement that both have to work closely together to fulfill their respective mandates.

The organizational graphic describes the following relationships:

- Reporting Relationships [*orange lines*][10]
    a. the members of the new Planning Support Commission are appointed by the Board of Directors of the new Authority
    b. the Chief Executive Officer of the new Authority reports to the Board of Directors
    c. the Commissioner reports to the Commission
    d. staff of the new Authority report to the Chief Executive Officer of the new Authority
    e. staff of the new Planning Support Commission report to the Commissioner
    f. Outreach and local staff report to the Community Planning Support Centres

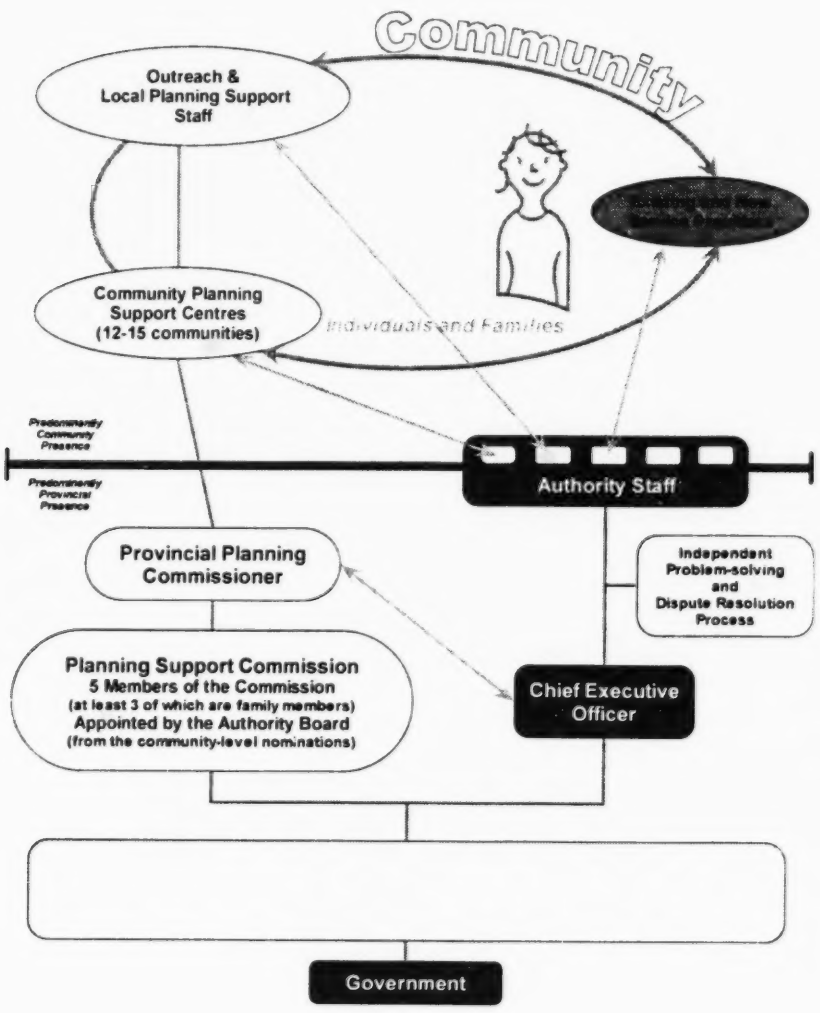
[10] If you are looking at a black and white photocopy of the graphic, these lines appear as medium grey without arrow heads.

- Functional Operating Relationships [*purple arrows*][11]
  - g. the Planning Support Commissioner and the Chief Executive Officer of the new Authority will have to communicate effectively and regularly on issues of interest between the new Commission and the new Authority
  - h. the new Authority is limited to a provincial or minimal regional presence
  - i. the Planning Support Centres and staff are the local community presence
  - j. Commission staff are in regular communication with staff of the new Authority
  - k. Contractual arrangements exist between the new Authority and community service providers and they communicate regularly back and forth
- Community Development Relationships [*green arrows*][12]
  - l. Commission staff work with service providers at the community level to increase capacity within existing resourcing levels
  - m. All of the activity of the Planning Support staff and of service providers revolves around individuals and families

[11] If you are looking at a black and white photocopy of the graphic, these arrows appear as light grey and are angled between the elements of the graphic with arrow heads at each end.

[12] If you are looking at a black and white photocopy of the graphic, these arrows appear as dark grey and follow the edge of the oval around the "individuals and families" graphic with arrow heads at each end.

The New Authority and the New Commission



Section 5
Financial Terms and Conditions of Transition

Overview

The planning committee members considered seriously how the community living authority could implement the new community living authority vision, and do so with a commitment to value-for money resource management.

This section outlines the Steering Committee's final recommendations with respect to the terms and conditions of the transition of community living funding, operational and capital assets, human resources and all other undertakings from government to the new Authority. These recommendations were approved on an on going basis from recommendations of the Human Resource and Finance Planning Committee through the July to September period. They are covered in detail here in this section and captured in an umbrella recommendation [Recommendation 6] in section 7.

A framework for the transfer of human and financial resources is provided in this section and will be used as the basis of the development of detailed operational and financial plans during the next phase.

This section outlines twelve specific terms that provide the detail in support of recommendation

The human and financial resource review and development of these terms was guided by a number of important Steering Committee mandated principles that are discussed more fully in the Planning Committee report and are provided below:

1. Consistency with the community living vision that makes a community living authority successful in both the short and long-term.
2. Adults, children and their families are the reason for the existence of the new authority, and resource reductions will not be allowed to adversely impact them their safety and well-being.
3. All planning committee activity will be marked by openness, transparency, and a commitment to integrity during the review.
4. The complete review will be based on maximizing the fair allocation of resources of all applicable community living programs.
5. Conscientious efforts will be made to ensure that adequate resources will be transferred to ensure a successful transition process.

6. The review will place high priority on obtaining value for money for all resources allocated for community living.
7. There will be heightened respect for and valuing of human resources in all aspects of the review.

The planning committee members considered seriously how the community living authority could implement the new community living authority vision, and do so with a commitment to value for money resource management. The terms and conditions of transfer outlined in this section have been divided into five topical areas of interest, including a stewardship management policy, transition cost challenges, limiting future government costs, policy adjustments for cost control, and human resource management initiatives.

Benchmark Date

A benchmark needed to be established to set a reasonable budget base from which budget transfer calculations could be made. The benchmark date was initially set as December 31, 2001, by the Minister with the terms of reference of the Steering Committee. In consideration of the implications of this change upon community living budgets and human resource allocations, the benchmark date was changed.

1. **Budget Transfer Benchmark**

   The budget benchmark date for programs and staffing be set at March 31, 2002.

Transition Expenditure Challenges

A successful transition to the new Authority will need to take into account that change of this magnitude will create one time costs that must be predicted and accounted for and that it comes at a time of unavoidable cost pressures related to eligible children and adults now waitlisted. A successful system transformation is dependent upon respectfully recognizing and dealing with these costs.

The Steering Committee received advice from international, national and local experts who have completed transitions of this nature and scale in both the public and private sectors. Without exception, they have advised that undertaking such a transition involving, as it does, change of authority, responsibility and a dramatic restructuring of the delivery system, in a time of budget cutbacks, will significantly increase the risk of negative response, harm to individuals and ultimately failure of the transition.

In addition, the Steering Committee has received advice from international, national and local experts who have completed transitions of this nature and scale in both the public and private sectors. Without exception, they have advised that undertaking such a transition involving, as it does, change of authority, responsibility and a dramatic restructuring of the delivery system, in a time of budget cutbacks, will significantly increase the risk of negative response, harm to individuals and ultimately failure of the transition.

It is important that the new Authority receives its fair share of human resources, so that it is positioned to deliver on its mandate.

2. **Need to Recognize Transition Cost Pressures**

The new Authority must be provided with:

a. Government approval to serve children, families and individuals who have been waitlisted, in some cases for many years, and,

b. sufficient funding to effectively implement approved Authority plans.

Human Resources, Regional and Corporate Budgets

Each employee would bring over actual physical office assets, with the same applied to vacant FTE's.

It is important that the new Authority receives its fair share of human resources, so that it is positioned to deliver on its mandate. It is difficult to apportion central resources fairly to all the new Authorities which are being created. Not transferring a fair share of management operations resources would create additional budget pressures for the new Authority. More detailed calculations will need to be conducted through the Interim Authority arrangement. It should be noted that the true cost of benefits for employees to be transferred must be calculated. Some benefits are covered by central government agencies and the Ministry does not currently collect all the information needed to assess this issue.

3. **Obtaining Sufficient Management Operations Resources**

That the MCFD transfer a fair percentage of human resources, by:

a. Ensuring that the Ministry per FTE allocation for overhead is reasonable and based on actual cost. Each employee would bring over actual physical office assets, with the same applied to vacant FTE's. The

MCFD will supply assets to support the full number of FTE's transferred;

b. That the formula for the transfer of overhead funding be as agreed between the Planning Committee and the Ministry;

c. Transferring of benefits will occur at a rate of 30% of the employee's salary;

d. Ensuring that a fair proportion of the corporate and regional management FTE's be transferred to the new Authority;

4. Regional Allocation of Human and Related Resources

Regional resources should be allocated as follows:

a. regional executive directors – 30% of all RED and related support be allocated to the new Authority based on the percentage of FTE's and budgets;

b. financial managers – splitting the 39 regional financial staff, based on:

   i. 50% of the FTE's allocated on the number of business units,

   ii. 50% of the FTE's allocated on the basis of contract numbers (excluding Children in Care), and,

   iii. 50% of the FTE's allocated for research and analysis;

c. personnel services – splitting of 30.75 regional personnel service FTE's, based on percentage breakdown of the FTE's between Children and Family Development (CFD) and the new Authority;

d. community living managers – 100% of the community living managers and related support;

e. contract managers – the 11 managers be allocated, based on the number of beds and spaces occupied by the new Authority;

f. utilization management – all 22 utilization management FTE's be transferred to the new Authority;

g. professional services – the 37 FTE's be allocated based on percentage breakdown between the new Authority and CFD; and

The Planning Committee has reached agreement with the Ministry on many of the terms and conditions of transition – this includes most of the regional operational capacity associated with the delivery of community living services.

h. administrative services – be allocated proportionately, based on the above.

5. Headquarters Allocation of Human and Related Resources

Headquarters resources should be allocated as follows:

a. Assistant Deputy Ministers – transfer of 100% of one ADM for operations and 33% of the Financial Services ADM, based on CFD, (Community Living Services) CLS, and the Ministry all needing part of this capacity;

b. Management Services Division – transfer of 40% with remaining 60% being divided between CFD and the Ministry, based on new Authorities assuming most of the functional responsibilities;

c. Early Childhood Development Policy Division – transfer of 90% to CLS, and 10% to CFD, based on the split between the CFD and the CLS budget and FTE's;

d. Adult CLS Policy Division – transfer of 100%;

e. Electronic Services Division – transfer of 40% with the remaining 60% being divided between CFD and the Ministry, based on the new Authorities assuming most of these functions, and

f. Corporate Services and the Office of the Deputy Minister – transfer of 20% with the remaining 80% being divided between CFD and the Ministry, and 60% to MCFD, based on only partial responsibility transferring to the new Authorities.

The new Authority will be introducing cost saving measures and the savings realized by these measures must be credited to the new Authority allowing the carry forward of these savings to the next fiscal year as a strategic future investment in the success of the transition.

Limiting Future Government/Authority Costs

Efforts will be made to limit government expenditure levels through productivity improvements and generation of revenue.

6. Specific Community Living Initiatives

The successful implementation of the new Authority will enable the Authority to reduce both management and operations costs.

The new Authority will be introducing cost saving measures and the savings realized by these measures must be credited to the new Authority allowing the carry forward of these savings to the next fiscal year as a strategic future investment in the success of the transition.

The new Authority will achieve cost savings through:

Creative and Innovative Change

The new Authority will introduce creative and innovative means of:

a. increasing system capacity for children, families and adults on waiting lists, and,

b. finding new ways of supporting people without compromising service quality.

System-wide Productivity Improvements

The new Authority will introduce system-wide productivity improvements that will:

a. eliminate certain service functions now carried out by Ministry staff, and,

b. will reduce headquarters costs through regulatory, policy, and administrative changes.

Conversion of Housing Assets into Service Investment

When individuals choose individualized funding and move out of group homes revenue will be generated in two ways:

c. for homes owned by societies, capital grants issued under the Human Resources Facilities Act will be repaid to the new Authority when the homes are sold,

d. for homes owned by the BC Housing Management Commission, equity in those homes will be returned to the new Authority when the homes are sold.

Creation of a Legacy Fund

Development planning is already underway for the lands formerly occupied by the institution at Woodlands and currently occupied by Willow Clinic. Ownership should be transferred to the new Authority, and the lands sold to create a legacy fund.

Development planning is already underway for the lands formerly occupied by the institution at Woodlands and currently occupied by Willow Clinic. Ownership should be transferred to the new Authority, and the lands sold to create a legacy fund.

It is important to ensure that all legal liabilities incurred prior to the creation of the new Authority remain Government responsibilities. If a future court decision results in a requirement to provide additional funding or services, Government would assume responsibility for this funding.

7. Legal Liability Arising Prior to Creation of the Authority

Any event prior to the establishment of the new Authority, which leads to legal liability, is the responsibility of the Ministry of Children and Family Development (MCFD).

Implications for Other Ministries

Extending DB2 coverage to all those eligible is fair and equitable treatment and respects their rights to equal treatment. While not involving any increased cost to government, this would cause additional expenditures for MHR.

Of the approximately 5,440 adults receiving residential services from MCFD, about 2,410 currently only receive MHR comforts and clothing allowances. The remaining 3,030 people in residential services receive DB2 benefits for this purpose.

Extending DB2 coverage to all those eligible is fair and equitable treatment and respects their rights to equal treatment. While not involving any increased cost to government, this would cause additional expenditures for MHR. This strategy is also consistent with the introduction of Individualized funding, which is a key element of system reform recommended in this report.

8. Disability Income Assistance Level II

The Authority and MCFD shall work together with the Ministry of Human Resources to provide DB2 support to all adults now in residential care and under the responsibility of the new Authority.

Liabilities exist against some assets under consideration. For example, in terms of housing, the new Authority will assume responsibility for the Human Resource Facilities Act, including notation of all capital grants for homes. The new Authority also gains ownership of BC Housing Management Corporation homes some of which appear to have liability exceeding their market value.

9. Liability on Assets in Excess of Assessed Value

Government, through the relevant ministries, will accept responsibility for liabilities on any asset in excess of the assessed value of that asset.

Policy Adjustments and Cost Control

There is need to ensure that policies and funding levels are aligned to make delivery on mandated expectations possible. Community living programs intended for transfer to the new Authority now provided through CFDS will be vulnerable through their budget pressures.

The number of cases of children with special needs in care has not increased at the same rate as other children in care. In 1989, the number of children in care in CLS was 442. Today it is 550. In CFD, the number of children in care has increased dramatically. We applaud the Ministry's efforts to reduce the number of children in care in CFD. We do not believe the same circumstances should apply to CLS, based on stable number of children in care in CLS over the past decade. The negative impact on children and families could be severe. A related program, the Associate Family Program, experienced only a 7% budget reduction in the Ministry Service Plan. The CLS child in care budget should be treated similarly to the Associate Family program

We applaud the Ministry's efforts to reduce the number of children in care in CFD. We do not believe the same circumstances should apply to CLS, based on stable number of children in care in CLS over the past decade. The negative impact on children and families could be severe.

10. Funding for the Support of Children and their Families

That all programs to be transferred to the new Authority be protected by:

a. Requesting that the MCFD not reduce the funding by 30% for children with special needs in care;
b. Negotiating with the Ministry of Health the return to the new Authority of all mental health funds designated to serve people with developmental disabilities;
c. Ensuring that the Regional Health Authorities maintain the level of service provided by Health Services for Community Living;

There would be major budget implications for government if the Authority were not GST exempt.

11. Exemption from Goods and Services Tax

The Ministry, the new Authority and government cooperate to ensure that the new Authority is exempt from GST or, failing the securing of a complete exemption, that the government make up the funding shortfall required to fulfill the obligations created by the need to pay GST.

Human Resource Management Initiatives

The transfer of employees requires effective planning, to ensure the rights of employees are protected and the needs of the new Authority are met. In order to implement major changes effectively, it is important that skilled employees experience the new Authority's commitment to them. Good morale is essential to a successful transition. Working within the terms and spirit of the collective agreement elicits the needed support from the union.

Because human resources are an organization's most valued asset, employees will be treated with utmost respect and dignity. Productivity improves with skilled and committed employees. There are significant hidden costs associated with employees being transferred from the Government to the new Authority. The transfer of employees requires effective planning, to ensure the rights of employees are protected and the needs of the new Authority are met. In order to implement major changes effectively, it is important that skilled employees experience the new Authority's commitment to them. Good morale is essential to a successful transition. Working within the terms and spirit of the collective agreement elicits the needed support from the union.

Employee pension issues need to be negotiated within the context of successorship and/or employee transfer arrangements.

12. Respect and Dignity for Employees

That MCFD and government ensure that the new Authority has sufficient costing information and resources to ensure reasonable benefits are available to its employees, by

a. Assessing the true costs of benefits by obtaining from the Ministry an analysis of the cost to replace self insured services, in addition to known employee costs, such as salaries and benefits.

b. Attention to applicable union successorship rights;

c. Officials of the new Authority will meet with the BCGEU to informally discuss mutual interests as soon as the organizational structure of the CI Authority is known;

d. Creating a Legislative exemption for the new Authority, so that it is not required to be a member of CSSEA;

Conclusion

The review of financial resources continues. With additional information to complete the review resolution of the budget concerns for FY2003/4, we hope the safety and well-being of adults and children will be protected so that we can proceed with transition planning towards a new community living authority.

Section 6
Major Themes

Major Themes Reflected in the Steering Committee Recommendations

This section of the report attempts the capture the key elements that emerged as major themes during the five month's work of the Steering Committee. The key elements serve as an overview of the committee recommendations and may be read as a summary from a less detailed perspective than is reflected in the full text of the recommendations as they appear in Section Seven.

Community-Based Governance

Key Element 1

Establishment of a new community governance structure that moves from a system managed and delivered by government to one that gives the community the authority and responsibility for community living services to adults, children and their families, while ensuring that government remains responsible for providing appropriate levels of funding for these services.

Recommendation 8

Page 73

Purpose Statement

Key Element 2

To create through legislation, a new corporation to be named Community Living British Columbia (the "new Authority") thereby establishing the capacity necessary to take responsibility for the design and delivery of community living support and services in British Columbia.

Recommendation 10
Page 75

Recommendation 11
Page 76

Recommendation 12
Page 77

Key Element 3

Appointments to the Board of Directors of the new Authority will be made by government through a community based nomination process, with the majority of the Board of Directors consisting of self advocates or family members of an adult or child with a disability.

Recommendation 13
Page 78

Recommendation 53
Page 132

Key Element 4

That, wherever possible, the new Authority meet its regional and community operational requirements through

arrangements with existing and new community service agencies adhering to principles and policies that ensure the safety and well being of the people supported, the highest and best use of existing community capacity and the development of new community capacity.

Recommendation 18

Page 84

Recommendation 20

Page 87

Key Element 5

The transformation to community governance will include the provision of independent planning and support for adults, children and their families, and that these supports be delivered by a planning support commission (the "new Commission"), established by legislation.

Recommendation 22

Page 91

Key Element 6

The new Commission should be made up of five members, three of whom must be self advocates or family members of a person with a disability, appointed by the Board of Directors of the new Authority from nominations submitted from communities.

Recommendation 42

Page117

Key Element 7

The new Commission will have a strong community presence through 12 to 15 Community Planning Support Centres and a network of outreach and local staff who work with individuals and families who need support or services or require a change in supports or services.

Recommendation 42 — Page 117

Citizenship & Choice

Key Element 8

The new Authority's prime objective will be to provide people the support they need to live satisfying lives in their communities; support which enhances their ability to contribute as citizens.

Recommendation 38 — Page112

Recommendation 42 — Page 117

Key element 9

The new Authority will be empowered to establish individualized funding as an option for eligible people and their families.

Recommendation 39 — Page 114

Key Element 10

In the case of children, individualized funding will be viewed as a means to address the needs of both the child and the family.

Recommendation 40 — Page 115

Key Element 11

Recipients of individualized funding will be free to both access globally funded programs and to explore new service alternatives.

Recommendation 41

Page 116

Key Element 12

That the new Commission be empowered to establish and deliver independent planning support to all adults, children and their families who wish it.

Recommendation 42

Page 117

Key Element 13

That the new Authority be responsible for life long support for all eligible people and their families.

Recommendation 40

Page 115

Recommendation 52

Page 129

Key Element 14

The new Authority will encourage new contributions from individuals and families into the support and service system and work with the provincial and federal governments to recognize these contributions, along with the contributions reflected by the extraordinary costs associated with disabilities and special needs, through the tax system.

Recommendation 49

Page 126

Recommendation 50

Page 127

Income Testing

Key Element 15

Legislation, regulation and policies will enable the Authority to permit parents or siblings to be compensated as caregivers, where this is the best option in the circumstances.

Recommendation 51

Page 128

Family Members as Caregivers

Accountability & Transparency

Key Element 16

The new Authority and the new Commission will be required to meet the highest standards of financial management, reporting, accountability and transparency to government, the legislature and the public.

Recommendation 32 ..... Page 105

Recommendation 33 ..... Page 107

Recommendation 34 ..... Page 108

Recommendation 35 ..... Page 109

Recommendation 36 ..... Page 110

Key Element 17

The new Authority and the new Commission will be required to meet the highest standards of operational performance monitoring, measurement and reporting to the people supported, government, the legislature and the public.

Recommendation 32
Measuring and Reporting on Performance
Page 105

Recommendation 33
Service Plans and Budgets
Page 107

Key Element 18

That the new Authority will operate within financial parameters set by government.

That the new Authority not be permitted to incur an operating deficit with the approval of the Minister responsible.

That the new Authority not be permitted to borrow funds without the approval of the Minster of Finance.

Recommendation 27
Page 98

Key Element 19

The new Authority distinguish between "personal outcomes" – those outcomes reflecting the plans, wishes and dreams of individuals and families that are set by families for children and by individuals, personal networks, family and friends for adults; and "service outcomes" – those outcomes which include the required basic elements of service delivery set by the Authority.

Recommendation 30

Page 101

Outcomes Determination and Evaluation

Key Element 20

The new Authority will establish efficient and effective mechanisms to solve problems and resolve disputes that arise between the Authority and the individuals and families it serves, or government, service providers, community health or service authorities, or others.

Recommendation 29

Page 100

Problem Solving and Dispute Resolution

Key Element 21

The meetings of the Boards of Directors of the new Authority and the new Commission will be open to the public.

Recommendation 36

Page 110

Meetings

Safety and Well-Being

Key Element 22

The new Authority will establish and maintain quality assurance mechanisms to effectively monitor the safety, security, care and quality of life of individuals and families supported by community living services or in receipt of individualized funding.

Recommendation 28 — Page 99

Key Element 23

The community living programs delivered by the Ministry of Health and Regional Health Authorities will be maintained at the current levels and be protected. The funding for the mental health program for Community Living should be transferred to the new Authority.

Recommendation 56 — Page 135

Recommendation 59 — Page 145

Key Element 24

The Ministry of Children and Family Development will not reduce the funding for children with special needs in care.

The Ministry of Children and Family Development, Government and the new Authority will negotiate the return to the new Authority of all mental health funds designated to serve people with developmental disabilities from the Ministry of Health Services;

The Ministry of Children and Family Development, Government and the new Authority will ensure that the Regional Health Authorities maintain the level of service provided by the Ministry of Health Services for Community Living.

Recommendation 56 — Page 135

Financial Terms 10 — Page 45

Section 7
Recommendations

Global Recommendations

Community-based Governance

[1] Community Governance

Citizenship and Community

[2] Choice, Independent Planning and Support

Life Long Planning

[3] Adults and Children Together

Successful Transition

[4] Safety and Well being of People

[5] Resources in Transition

[6] Protecting Resources – Terms of Transition

[7] Securing the Future – External Evaluation

Governance Recommendations

Purpose and Policy

[8] Purpose Statement

[9] Key Policy Elements

[10] Name of the new Authority

Establishment of the new Authority

[11] Legislative Mandate

[12] Basic Legal Entity

[13] Governing Body of the new Authority

[14] Chairperson of Board of Directors

[15] Committees of the Board

Functions and Powers of the new Authority

[16] Relationship to Joint Policy Directorate

[17] Powers of the new Authority

[18] Community Development Opportunities

[19] Responsibilities and Functions of the new Authority

[20] Extent of Operational Presence

[21] Framework of Relationship with Government

Community Capacity Development

[22] Creation of an Independent Planning Support Commission

[23] Formal and Informal Information Exchange

Accountability And Information Transfer Recommendations

Legal Mandate

[24] Policy Goals

[25] Application of Other Acts

[26] Community Care Facility Act

Accountability for Financial Management

[27] Financial Management and Accountability

Accountability for Conduct of Authority Business

[28] Quality of Services

[29] Problem Solving and Dispute Resolution

Accountability for Performance

[30] Defining Outcomes

[31] Determination and Evaluation of Service Outcomes

[32] Measuring and Reporting on Performance

Key Public Accountability Mechanisms

[33] Service Plans and Budget

[34] Quarterly Financial Reporting

[35] Annual Report

[36] Meetings

Information Collection, Management and Use

[37] Information Collection, Management and Use

Individualized Funding Recommendations

Individualized Funding – A Means to Secure Citizenship

[38] Principles

[39] Individualized Funding in Legislation

[40] Individualized Funding for Children and Their Families

[41] Individualized Funding Use – Globally Funded Services

Independent Planning and Advice – Community Planning Support Centres

[42] Creating and Funding a Planning Support Commission

[43] Appeal Process

Implementation of Individualized Funding

[44] Guidelines for "New" Money in the System

[45] Individualized Funding and Children's Programs

[46] Staffing of the Commission and Community Planning Support Centres

Access to Supports for Decision Making and Advocacy

[47] Representation Agreements

Other Recommendations

[48] Tax Treatment of Individualized Funding

[49] Contributions from Families

[50] Income Testing

[51] Family Members as Caregivers

Services for Children With Special Needs Recommendations

Philosophy and Principles

[52] Principles Statements

Provincial Authority Functions with Respect to Children

[53] Board of Directors Representation

[54] Functional Responsibility at Community Level

[55] Eligibility Criteria for Children

Safeguarding Future Funding for Children and Families

[56] Budget Levels

[57] Joint Policy Directorate – Terms of Reference

[58] Joint Policy Directorate – Other

[59] Children in Care and Special Needs Agreements

Recommendation 1: Community Governance

Issue

Individuals, families and communities support the government's move to community based governance of community living services.

Recommendation

That there be created a Provincial Community Living Authority (the "new Authority") that views the community as central to service provision and support to people with a developmental disability, children with special needs and their families.

Rationale

A clear statement of purpose is required to provide a framework for the working recommendations of the Transition Steering Committee.

This motion launches our communities in partnership with government to restore the prominence and leadership that has built BC's reputation as a caring community.

Recommendation 2: Choice, Independent Planning and Support

Issue

A primary purpose of community based governance is the desire to move from a system that focuses on services that support people to a system that supports people to become the contributing citizens they want to be – an acknowledgement of their gifts, skills, talents, abilities and aptitudes rather than services that are provided them in recognition of the disabilities.

Recommendation

That the funding provided to the new Authority reflect the principle that people must be ensured they have the support they need to become a contributing citizen in their communities.

That the system created by the new Authority view services not as an end in themselves, but as a means of ensuring full participation in their communities and enables them to contribute as citizens.

That the new Authority be granted the requisite mandate and power to offer individualized funding and independent planning and support to all people with a developmental disability, children with special needs and their families who wish it.

Rationale

The community first approached government with a vision of transforming the system of services and supports for people with disabilities and their families – a system:

- in which individuals with a disability are full citizens of their communities,
- which honours and encourages their contributions,
- which places trust in the capacity of individuals and families to lead their own lives effectively, . . . to meet the challenges they face . . . and to develop their own support system,
- that changes dependence on government into a community partnership of the public, private and civic sectors.

BC families and communities have always accepted their collective responsibility to care for each other. They have pioneered creative responses to our social obligations in the past and community based governance provides an opportunity to build on that success – an opportunity to usher in a system of supports that strengthens families and builds resilience in individuals – a system that builds capacity in our communities.

Recommendation 3: Adults and Children Together

Issue

The mandate of the new Authority should extend to children with special needs.

Recommendation

That the mandate for the new Authority includes responsibility for life long planning for all adults with a developmental disability, for all children with special needs and their families.

Rationale

Families have made their support for this position very clear – they want their children to be included in the mandate for the new Authority for community living services.

Recommendation 4: Safety and Well-being of People

Issue

The process of transition from government to the new Authority could significantly increase the exposure to risk and the vulnerability to harm of individuals and families.

Recommendation

That during the process of transition to community-based governance, the government, the Interim Community Living Authority and the new Authority ensures that the safety and well-being of individuals with developmental disabilities, children and their families will be paramount.

Rationale

Keeping individuals and their families safe and secure during transition is of equal importance to government and the community.

Recommendation 5: Resources in Transition

Issue

The TSC was given a mandate by the Minister of Children and Family Development to recommend the terms of transition of service responsibility and authority from government to community based governance. The Ministry and Treasury Board set the budget for community living services annually.

Recommendation

That the government transfer authority and responsibility to a new Authority on terms defined by the recommendations herein and that the 2002/2003 resourcing levels for community living services be maintained for 2003/2004 and 2004/2005 to facilitate a successful transition of those services from government to the new Authority.

Rationale

The transition of community living services from government to the new Authority is a hugely complex and potentially controversial task that entails significant risk to government, to communities and to people receiving support. To date, private sector and the non profit sector community based service providers have joined with people with disabilities and their families in expressing their support for the direction.

Senior government officials from Alberta, New Hampshire, Georgia, New York, and Australia who have overseen transition to community based governance bodies; private sector executives seconded to transition planning for the takeover of YVR and other federal airport authorities; and senior staff at the University of Ottawa Centre for Governance, including the former Auditor General for Canada, Denis Desautels; have universally cautioned against transition during a period of budget reductions. They have, without exception, advised the Transition Steering Committee that transition during a period of budget reductions significantly increases all risks associated with a change of this magnitude.

The community support extended to government thus far will be lost if the transition is attempted with reduced resources.

Recommendation 6: Protecting Resources – Terms of Transition

Issue

The TSC was given a mandate by the Minister of Children and Family Development to recommend the terms of transition of service responsibility and authority from government to community-based governance. The terms of transition include the funding, operational and capital assets, human resources and all other undertakings associated in any way with community living services.

Recommendation

That the government transfer to the new Authority all of the funding, operational and capital assets, human resources and all other undertakings associated in any way with community living services.

That this transfer is accomplished in accordance with the terms and conditions as recommended by the Human Resources and Finance Planning Committee and approved by the Steering Committee, as outlined, in detail, in Section 5. of this report.

Rationale

The securing from government of all funding, operational assets, capital assets, human resources and all other undertakings associated with community living services is a fundamental element of providing the new Authority with the capacity to fulfill its obligations to individuals and families.

Recommendation 7: Securing the Future – External Evaluation

Issue

Transition of community living services from government to the new Authority is a complex task that will evolve over several years. The transition is viewed by others as a national and international precedent of community involvement in the planning and execution of the transition of authority to a community-based governance body. Evaluation of process, the task and its completion is a worthwhile undertaking.

Recommendation

That the new Authority establish the means by which an external evaluation would be completed on the transition process, the establishment of the new Authority and initial performance of community based governance.

That the new Authority provide for the external evaluation to begin in a timely fashion so as to ensure that the transition, establishment and performance can be documented on an on going basis.

That the new Authority ensure that the evaluation is complete and reported on by the earlier of the end of the third complete fiscal year of the new Authority or March 31, 2007.

Rationale

Evaluation of this project should be done by people external to the process of transition and external to the new Authority and government.

Recommendation 8: Purpose Statement

Issue

Need for a common understanding of, and clear commitment to, the goals and principles that embody the vision of the community governance that clarifies the purpose in creating the new Authority – this begins with a clear purpose statement.

Recommendation

That the Purpose Statement below be reflected in the final report of the TSC and perhaps included in any preamble to legislation or in the introductory remarks when the legislation is introduced in the Legislature.

Purpose Statement

The new governance structure will end government's role as a direct provider of community living services to adults with developmental disabilities, and children with special needs and their families, while ensuring that government remains responsible for providing appropriate levels of resources for these services.

Rationale

The government of British Columbia intends to establish a Provincial Authority for the governance and management of the provision of community living services to individual adults with disabilities, and children with special needs and their families. The overarching purpose of this new authority should be clearly stated.

Recommendation 9: Key Policy Elements

Issue

The legislation and all communication materials require policy statements.

Recommendation

That the policy statements reflect the following:

The new Authority shall:

- put individuals with a disability and their family members in control of future decisions affecting their quality of life, and provide them the opportunity for direct involvement in decision making at important governance and program delivery levels;
- secure the means by which policy, other than legislated policy, and decision making shall be separated from government;
- provide the capacity to establish policy and regulation that begin with a premise of trust in relationships, and that act to remove barriers to individuals, families and communities finding their own solutions to the challenges they face and provide support when they cannot;
- build on the existing capacity within communities represented by private and non-profit service providers;
- foster an environment in which creativity, innovation, productivity and effectiveness are recognized and rewarded;
- provide the means of ensuring local community input and influence over policy;
- provide efficient and fair problem and dispute resolution processes.
- create the capacity to deliver support to individuals and families in the form of individualized funding, as an option; and,
- find ways and means of encouraging new sources of funds into the disability services system, including recognizing those contributions within the tax system (i.e. community, corporate and family).

Rationale

These policy statements send a strong signal with respect to anticipated changes in direction, focus, and culture.

Recommendation 10: Name of the Provincial Authority

Issue

The new Authority requires a name.

Recommendation

That the name of the new Authority be Community Living British Columbia.

Rationale

This name was preferred over several others considered by the TSC.

Recommendation 11: Legislative Mandate

Issue

There is a need to respond to the clear community interest in having the new Authority established by legislation.

Recommendation

That there be created a provincial authority, established by legislation, to provide community living services in British Columbia and as much as is practical and reasonable, the powers and responsibilities of the authority be reflected in that legislation.

Rationale

There is a clear community interest in having the Authority established by and supported through legislation.

Recommendation 12: Basic Legal Entity

Issue

It is required that the new Authority be a legal entity with the appropriate rights, powers and privileges that enable and authorize it to fulfill its mandate.

Recommendation

That the new Authority be a corporation, and that the Minister of Children and Family Development be the Minster responsible for the Authority.

Rationale

The committee looked at every conceivable model and structure including the society, the cooperative and the corporation, and this recommendation is based on matching the community interest in overall government responsibility and the obligations, responsibilities and powers required to meet the demands of delivering community living services.

The Minister should retain ultimate responsibility for service delivery and use of public funds. This approach will ensure government ownership, as specified in the Minister's letter of April 10, 2002.

Recommendation 13: Governing Body of the Authority

Issue

The governance structure of the new Authority must be defined.

Recommendation

That the governing body of the new Authority be a Board of Directors determined as follows:

- 13 residents of British Columbia appointed by Order of the Lieutenant Governor in Council from nominations provided to the Minister by the Authority through the Nominating Committee
- nominations and appointments must adhere to the following guidelines:
    - a minimum of one [1] Director from each of the five MCFD Regions
    - a minimum of seven [7] Directors [being 50% plus 1] must be individuals with a developmental disability or a family member of an individual with a developmental disability.
    - Of these 7, at least two [2] Directors must be a family member of a minor child with special needs, and two [2] Directors must be individuals with a developmental disability
- nominations and appointments must reflect the skill and experience requirements of the new Authority including legal, financial, and business knowledge and expertise
- Directors shall be appointed for a three year term and be eligible for reappointment for a second three year term
- Director's terms shall be staggered to ensure continuity.
- Directors shall receive compensation for the fulfillment of their duties in accordance with guidelines approved by the new Authority and consistent with government standards and shall be eligible to receive reimbursement of all approved expenses

and that a process be established by the legislation, regulation or policy to ensure that local and/or regional organizations of individuals, family members and community persons can nominate people for appointment as Directors of the new Authority.

Rationale

It is a fundamental element of community support that individuals with a disability and family members of individuals with disability comprise the majority of the Board. At the

same time, this commitment must be balanced with the need to ensure that the Board contains broader community representation and specialized skills.

It is imperative that local community organizations, both formal and informal, be empowered and provided with the means and capacity to nominate people for appointment to the Board of Directors.

Recommendation 14: Chairperson of the Board of Directors

Issue

The new Authority Board of Directors must have a Chairperson.

Recommendation

That the Chairperson be elected annually by a majority vote of the Board of Directors.

Rationale

The Board of Directors itself is best suited to determine who has the greatest skills and abilities to serve as chairperson.

Recommendation 15: Committees of the Board

Issue

The Board of Directors will require certain standing committees to fulfill oversight and accountability obligations.

Recommendation

That the Board of Directors establish committees of the Board as necessary to fulfill its mandate and properly reflect the communities it serves.

Rationale

The Board of Directors should establish those committees it considers necessary to assist it in carrying out its' responsibilities.

Recommendation 16: Relationship to Joint Policy Directorate

Issue

The Joint Policy Directorate is the body appointed by the Minister to oversee funding and policy decisions for certain children's programs with shared responsibility bridging two or more authorities. The relationship with this directorate is very important to children's programs and to families with minor children.

Recommendation

That the Board of Directors of the new Authority appoint to the Joint Policy Directorate people with an understanding of children's issues.

Rationale

There needs to be a direct link between the designated representative for children's issues on the Board of Directors of the Authority and the Joint Policy Directorate.

Recommendation 17: Powers of the Authority

Issue

Powers of the new Authority need to be defined.

Recommendation

The powers of the new Authority shall include, but not necessarily be limited to, the following:

- the rights, powers and privileges that enable and authorize the authority to fulfill its mandate
- the making of bylaws respecting the conduct of its activities
- to enter into agreements with government or other public or private bodies
- appointment of the CEO
- appointment of members of the Planning Support Commission
- appointment of officers
- to engage or retain by contract, secondment or any other agreement, service providers, specialists, professionals and consultants necessary to fulfill the mandate and responsibilities of the authority including the power to contract for services and functions previously provided by Ministry staff
- to borrow money with the permission of the Minister of Finance
- to acquire and dispose of real or personal property
- receive and take title to real and personal property from government
- to make direct payments to individuals and families
- to retain any operating or capital surplus

Rationale

The powers are consistent with those required to fulfill the mandate of the new Authority.

Recommendation 18: Community Development Opportunities

Issue

Of major interest to individuals, families and communities are the community development opportunities presented by the creation of the new Authority and the Planning Support Commission. It is necessary to determine basic principles of policy and operation of both the new Authority and the Commission in relation to community development.

Recommendation

That the new Authority, both within its own operational and policy domain and within that of the Planning Support Commission, be guided by the following principles and operational policy guidelines:

- that the stimulus and encouragement of community development efforts and initiatives be a primary objective of the authority
- that in fulfilling this objective the Authority shall at all times endeavour to create capacity in communities to perform functions previously within the domain of the ministry [e.g. crisis management, case management for children and dependent adults] by contracting at the community level
- that contractual relationships with service providers include provisions to support existing community development initiatives and to foster new initiatives
- that Planning Support Centres provide support and encouragement to community development initiatives

Rationale

The new Authority must not attempt to replace existing community development initiatives and capacity at the community level. Instead, the authority should take advantage of and build upon that capacity. This would include looking at every function that formerly relied upon staff of the ministry through a community capacity "lens" and seek to contract these functions through new and existing agencies.

Recommendation 19: Responsibilities and Functions of the New Authority

Issue

The responsibilities and functions of the new Authority need to be defined.

Recommendation

The new Authority's overall responsibility shall be to provide all community living services and supports to adults and children with special needs and their families, and required tertiary and support services. The functions and requisite powers to meet these responsibilities shall include, but not necessarily be limited to, the following:

- Strategic and operational planning
- Financial management
- Asset management
- Administrative and management services
- Systems management
- Inter-ministerial liaison
- Liaison with Ministry of Children and Family Development
- Liaison with the Joint Policy Directorate
- Input and Advice to the Minister responsible for Federal Agreements, Federal Provincial Agreements and Federal-Provincial Cost Sharing Agreements
- Conflict resolution mechanisms
- Internal appeal processes
- Legal services
- Communications
- Critical incident and crisis management
- Policy development
- Contract management, planning and coordination
- Planning for tertiary services
- Eligibility assessment determination
- Funding determination
- Waitlist management
- Guardianship for children with special needs
- Adult Guardianship
- Support for adults without unpaid independent personal supports or adults at risk
- Community development and capacity building

Rationale

This recommendation is consistent with the purpose and the policy goals of taking the Ministry of Children and Family Development out of a direct role in providing service and supports to adults with a developmental disability, and children with special needs and their families.

Recommendation 20: Extent of Operational Presence

Issue

Although detailed operational planning will take place in the next phase of the community governance transition process, the operational presence of the new Authority needs to be clarified in the context of subsequent recommendations with regard to the establishment and operational presence of the Planning Support Commission.

Recommendation

That the new provincial authority operates from one efficient central location with minimal regional or community offices. The organizational structure is to be constructed such that regional and community operational requirements are overseen by staff dedicated to those areas. Wherever possible regional and community operational requirements shall be met through existing and new arrangements with community service providers and other agencies adhering to principles and policies that ensure the highest and best use of existing community capacity and the encouragement, stimulation and development of new community capacity.

Rationale

In consideration of the responsibilities of the new Authority and the nature of the specific duties required to fulfill those responsibilities it is possible to maintain service quality while substantially reducing regional and community infrastructure costs thereby enabling the reassignment of scarce resources to direct services and supports.

Recommendation 21: Framework of Relationship with Government

Issue

There is a need to define the overall framework of the relationship between the new Authority and government.

Recommendation

That the relationship between government and the new Authority include but not be limited to the following and that the terms of the relationship be defined in legislation, regulation, memorandum of understanding, bylaw, or policy, whichever is the most appropriate.

Overall Performance Objectives for the New Authority

- Direct provision of community living services and supports to children with special needs, their families and adults with developmental disabilities;
- Provision of the capacity, together with government, to establish policy and regulation:
  - based on a premise of trust in relationships;
  - that act to remove barriers to individuals, families and communities finding their own solutions to the challenges they face, and provide support when they cannot do so;
  - to make direct payments to individuals with a disability and families of children with special needs
- Encouragement of new sources of funds into the community living support system, and recognition of those contributions within the tax system (i.e. community, corporate and family); and
- Provision of a permanent role for persons with a disability and their families in whatever forums government considers community living policy.

New Authority Role and Responsibilities to the Minister

- Development and implementation of a 3 year strategic community living service plan, approved by the Minister, in a transparent and accountable environment and within approved funding;
- Operational and policy control over community living services to an extent limited only by the statutory obligations of the Minister;
- Provide service and support within financial parameters set by the Treasury Board and government;
- Ensure services and supports meet outcomes requirements set by the Minister;

- Input and Advice to the Minister responsible for Federal Agreements, Federal Provincial Agreements and Federal-Provincial Cost Sharing Agreements;
- Creation of new and innovative service supports including individualized funding as an option for individuals and families.

Minister Role and Responsibilities to the New Authority

- Maintain ownership of, and exercise statutory due diligence over, the operations of the new Authority;
- Approve the 3 year strategic community living service plan;
- Provide system-wide service delivery funding; and
- Monitor the performance of the entire service delivery system against outcomes set out in the service delivery plan and approved by the Minister.

Critical Issues Management

Either party may determine a matter to be a critical issue, with such determination to be in the context of respective and overall roles, responsibilities and an agreed upon accountability framework. Critical issues are to be managed in accordance with a protocol to be established between the Ministry of Children and Family Development and the new Authority.

Dispute Resolution

In the case of an unresolved dispute between the Ministry of Children and Family Development and the new Authority, each party shall appoint a representative who shall, in turn, agree upon a third person to act with the two representatives in forming a dispute resolution panel to seek to resolve the dispute. Decisions of the panel are final.

Delegated Agency in Relation to Adult Guardianship

The Ministry of Children and Family Development [MCFD] is currently named as the "Designated Agency" in Part 3 of the Adult Guardianship Act. In practice, the Community Living Social Workers will respond to all calls of abuse, neglect, and self neglect of any adult 19 years of age and older with an intellectual disability. If the adult is found to be incapable, a Support and Assistance Plan will be drawn up and the adult will be offered the required services.

The new Authority should be named in legislation as the "Designated Agency" in Part 3 of the *Adult Guardianship Act* to replace Ministry of Children and Family Development.

Relationships with Other Ministries of Government, Public Agencies and Boards

That the new Authority enter into memoranda of understanding with those other ministries, boards and agencies having a direct interest in or influence over the delivery of community living and related services and supports in BC. These may include MOU's with Ministries of Health, Education, Human Resources, Attorney General and Finance.

Just as for the Minister of Children and Families, the terms of the relationship between the provincial authority and other entities in respect of service delivery, should be clearly established in writing.

Rationale

This is a comprehensive and complicated delegation of authority to a community governance body involving considerable responsibility and resources previously solely within the responsibility, custody and control of government. It is anticipated that all mechanisms of defining the terms of the relationship between the government and the new Authority will required including legislation, regulation, bylaw, policy and memorandum of understanding.

Recommendation 22: Creation of an Independent Planning Support Commission

Issue

An independent Planning Support Commission is recommended by the Individualized Funding Planning Committee as a fundamental component of the new Authority's governance structure.

Recommendation

That a commission be created by legislation in accordance with the following terms, conditions, characteristics, responsibilities and authority:

- consideration of the name and structure of the Commission
- the Commission be comprised of five members who shall be appointed by the Board of Directors of the Authority with:
    - at least three [3] members be individuals with a disability or family members of an individual with disability or a child with special needs
    - a nomination process is established by the Board of the new Authority to enable individuals, families and other interested community people to nominate others for appointment as members of the commission
    - the members of the Commission shall be compensated for their services to the Commission in accordance with the government standards.
- the Commission members shall appoint a Commissioner who shall be the Chief Executive Officer of the Commission
- the Commission shall establish operations, policy and bylaws
- the Commission shall have a mandate to provide independent planning services, support and advice to individuals and families at the community level through the establishment of community level centres in larger communities and community level capacity in smaller communities.

Rationale

The Planning Support Commission is required to provide planning services, support and advice to individuals and families at the community level.

Recommendation 23: Formal and Informal Information Exchange

Issue

The Governance Planning Committee is not recommending any formal governance bodies or organizations which would typically provide a structured means of distributing information and receiving feedback [see recommendations on Community Development Opportunities].

There is a requirement to define obligations of the new Authority at the governance level to inform individuals and families of the activities of both the new Authority and the Planning Support Commission on a regular basis and to actively seek and collect feedback on these activities.

Recommendation

That the new Authority, both within its own operational and policy domain and within that of the Planning Support Commission, be required to foster and maintain an effective two way communication with individuals, families and communities including but not limited to:

- providing user friendly information exchange mechanisms in both electronic and paper format
- regular reporting to communities
- providing, through Community Planning Support Centres, outreach and local staff, the means by individuals, families and other interested parties can provide feedback to the Board of Directors of the Authority
- ensuring that community-level nomination processes for appointment to the Board of Directors of the Authority and to the Planning Support Commission

Rationale

Information exchange between the governance levels of the new Authority and the Commission are essential to meeting basic accountability responsibilities to individuals, families and the community.

Issue

Need for a common understanding of, and clear commitment to, the goals and principles that support the Community Living Authority's (the "new Authority") accountability relationship with government and others.

Recommendation

That the new Authority creates and adopts policies that reflect the following principles and understandings.

In the context of the policy goals below, "families with children" refers to natural families or legal guardians of minor children with special needs and "individual adult" is defined as a person with a developmental disability who has reached the age of majority, either of whom receive services, support or funding either from the new Authority or through the new Authority.

This distinction reflects the legal and moral role of families towards their minor children and further acknowledges and respects that provision of services (to children with special needs and their families, and to individual adults) have both shared and unique characteristics.

Accountability, information transfer and information management for the new Authority will be implemented by policies that:

(1) begin with a premise of trust and respect in all relationships;

(2) support due diligence and equity;

(3) remove barriers to families with children, individual adults and families, service providers and communities finding their own solutions;

(4) utilize public funding in the best manner possible;

(5) meet standards of financial performance consistent with financial security and reporting requirements of government;

(6) determine, manage and evaluate results in terms of the responsible management of public funds and in terms of each individual's relationships with family, friends and community; in particular, outcomes shall be framed in terms of the best interests and optimal quality of life of the individual adult or that of children and their families as the case may be;

(7) ensure that accountability mechanisms are formative and developmental, not punitive;

(8) ensure that accountability information requirements do not impede the performance of services;

(9) respect the knowledge and experience of families with children, individual adults and their families and friends, and service providers;

(10) respect the dignity and privacy of the individual; and

(11) ensure that all information used for governance, accountability and management purposes meets the standards of (a) usefulness; (b) necessity; (c) economy; (d) reliability and validity; (e) accessibility; (f) transparency; (g) privacy and confidentiality; and (h) respect the dignity and privacy of the individual adult and of families with children.

Rationale

The government of British Columbia intends to devolve authority and responsibility to a Provincial Authority for the governance and management of the provision of community living services to individual adults with disabilities and to families of children with special needs.

Under this new arrangement, the government requires that the new Authority provide appropriate assurance with regard to its management of public funds and stewardship of public assets through a regular cycle of agreement and reporting on results – in other words, accountability for performance.

The effectiveness of this accountability relationship requires a common understanding of, and clear commitment to, the goals and principles that support the relationship.

Recommendation 25: Application of other Acts

Issue

External oversight of the new Authority's operations and delivery of services

Recommendation

That the statute establishing the new Authority contains the following provisions:

(1) The *Auditor General Act* applies to the authority.

(2) The *Financial Information Act* applies to the authority.

(3) The Freedom of Information and Protection of Privacy Act applies to the authority.

(4) The *Ombudsman Act* applies to the authority, councils and any agency or individual contracted pursuant to this Act.

(5) The *Financial Administration Act* does not apply to the authority.

(6) The *Public Service Act* does not apply to the authority.

Rationale

These provisions will ensure the continuation of external oversight as it applies to ministry operations.

Recommendation 26: Community Care Facility Act

Issue

There are considerations for the new Authority arising from the application of the Community Care Facilities Act to community living residential services.

Recommendation

That the new Authority honour the principle of "dignity of risk" and support individuals with a presumption of their right to reasonable risk and that accordingly, section 2 of Bill 16 — 2002 *Community Care Facility Act*, currently before the provincial legislature be amended by adding a new subsection 2(j) which will enable the new Authority to exempt personal residences and group homes by describing them as "designated facilities", to read as follows:

2 This Act does not apply to any of the following:

(a) a school under the *School Act*;

(b) a school under the *Independent School Act*;

(c) a francophone school as defined in the *School Act*;

(d) a hospital or portion of a hospital as defined in the *Hospital Act*;

(e) a home approved as a foster home under the *Child, Family and Community Service Act*;

(f) a home designated as a youth custody centre under the *Correction Act*;

(g) a school primarily providing, in the opinion of the director of licensing, educational training for children 6 years of age or older;

(h) a designated facility under the *Mental Health Act*;

(i) a home providing day care for a sibling group only;

(j) a designated facility under the *Community Living Authority Act*;

(k) a community care facility that is exempted, or is within a class exempted, under section 27 (3) (d).

Further, that the statute establishing the new Authority contain the following provision:

> The authority may designate a facility or a class of facilities receiving funding from the authority for purposes providing residential care to persons with developmental disabilities for purposes of exempting that facility or class of facilities under the provisions of section 2 of the *Community Care Facility Act*.

And further, that the new Authority establish appropriate means of securing the safety of individuals served by the new Authority.

And further, that all funding and resources associated with the provision of services under CCFA pass to the new Authority.

Rationale

The application (i.e., inspection and enforcement) of requirements under the CCFA frequently conflicts with the goals of community living services (i.e., creating a community living environment as close as is possible to other community members without a disability). As such, the CCFA may severely limit the scope of quality of life options by imposing "institution-like practices" for the physical environment, management of pharmaceuticals and meal planning.

This recommendation aims to provide the new Authority with the capacity to ensure health and safety, while at the same time respecting the "dignity of risk" for the person being served and striving to create a normal community living environment.

Item (j) above is the only new provision proposed here. The other listed exemptions from the *Community Care Facility Act* already appear in Bill 16.

Recommendation 27: Financial Management and Accountability

Issue

The new Authority must meet high standards of financial management and accountability.

Recommendation

That the new Authority's policy relating to management of funds and financial accountability contain the following provisions:

(1) The authority will meet or exceed standards set for Crown corporations with regard to the management of funds, monitoring and reporting of expenditures and responsibility for safeguarding the public interest in those funds.

(2) The authority will set and monitor standards of financial management and accountability that ensure that funds contracted to organizations, individual adults and families or families with children are used for the purpose intended.

(3) The fiscal year of the authority is the period of 12 months beginning on April 1 in each year and ending on March 31 in the next succeeding year.

(4) The authority will adhere to any financial policies and directives set by the minister, the Minister of Finance or Treasury Board.

(5) All books or records of account, documents and other financial records of the authority will at all times be open for inspection by the minister or a person designated for that purpose by the minister.

(6) The authority recognizes that Minister of Finance may direct the Comptroller General to examine and report to the Treasury Board on any or all of the financial and accounting operations of the authority.

(7) The Authority will not run a deficit without the approval of the Minister.

(8) The accounts and performance management activities of the authority will, at least once in every year, be audited and reported on by an independent auditor appointed by the Board of Directors.

Rationale

It is fundamental to maintaining the public trust that the new Authority meets the highest standards of fiscal accountability, particularly in view of the provision of individualized funding.

Recommendation 28: Quality of services

Issue

Mechanisms for the new Authority to ensure effective monitoring of standards of safety, security, care and quality of life for individuals and families receiving community living services.

Recommendation

That the new Authority's policy relating to quality of services, whether those services are provided directly or indirectly through Authority funds paid to individuals or families contain the following provisions:

(1) The authority will be responsible for ensuring that the quality of services is determined from the perspective of achieving outcomes.

(2) Quality assurance shall include all traditional applications of this term including safety, security and general quality of care but shall be extended to include all aspects of the relationship between the authority, service providers, individual adults, their families, families with children and others in such a way as to ensure that these relationships are always characterized by honesty, fairness and respect.

(3) The approach to quality assurance shall reflect the policy goal of building all relationships on trust.

(4) Quality assurance mechanisms will be "built" from the perspective of the community upward and outward as opposed to the traditional top down approach.

(5) Generally, quality assurance and other evaluative processes will not be intrusive, invasive, nor interfere with relationships between a person with a disability or a child with special needs and their service provider, their family or a community member.

(6) The authority will provide a timely appeal process whereby decisions made by or on behalf of the authority may be reconsidered.

(7) The authority will be responsible for ensuring standards of safety, security, care and quality of life, in accordance with regulations made pursuant to the statute establishing the authority.

Rationale

This recommendation establishes the principles, responsibilities and capacity to monitor standards of safety, security, care and quality of life for individuals and families receiving community living services.

Recommendation 29: Problem Solving and Dispute Resolution

Issue

The commitment to an effective problem solving and dispute resolution process is an important issue. We need a commitment to an effective process to resolve issues raised by community stakeholders.

Recommendation

The new Authority will establish efficient and effective methods and mechanisms to solve problems and resolve disputes that arise between the new Authority and:

(1) an individual or family supported by the new Authority or wishing to be supported by the new Authority;

(2) a service provider or other contractor to the new Authority;

(3) another community services or health authority;

(4) a ministry or office of government;

(5) others as required.

Rationale

This recommendation commits the new Authority to be responsive to problems, and disputes and services quality.

Recommendation 30: Defining Outcomes

Issue

To avoid individual adults and families with children being treated in a bureaucratic and procedure bound fashion and to ensure that the "system" is adapted to meet individual and family needs.

Recommendation

That the new Authority's policy relating to outcomes determination contains the following provisions:

(1) "**Personal outcomes**" are defined generally as more subjective and personal goals that specific individual adults or families with children seek to achieve through specific services, supports or funding and, in the case of children, personal outcomes may be described in terms of outcomes for the family or for the individual child.

(2) Families or individual adults, with their family and friends, will be responsible for determining their own personal outcomes.

(3) "**Services outcomes**" are defined generally as objective and measurable results of service(s), support(s) or funding provided to individual adults, families with children, and a community and may be immediate or long term in nature.

(4) Families, individuals and service providers will be expected to frame service outcomes in the context of, and in support of, personal outcomes and shall be responsible for ensuring that service outcomes are a means to achieving personal outcomes.

(5) Achievement of personal outcomes will be assessed by the individual adult, with family members and friends, and by families with children.

(6) The authority will be responsible for allocating and managing the resources available to it in a manner that best supports the adults, children and their families with children in achieving the intended personal outcomes.

(7) Personal outcomes will focus on, but not necessarily be limited to, the quality of the relationships between an adult with a disability, their family, friends and their community or between families with children and their community.

Further, that the new Authority's policy relating to outcomes evaluation contain the following provisions:

(8) Services outcomes will be evaluated within a framework that enables and respects meaningful participation of the individual adults, family members and friends, families with children, and service providers.

(9) Evaluation of services outcomes will be based on respect for the choices made by the individual adult with their family and friends, and families with children.

(10) Services outcomes will be evaluated and reported in such manner the respects and preserves the privacy of the individual adult and their family, and families with children.

Rationale

To ensure that services and supports focus on results and that these results are defined from the perspective of quality of life outcomes. It is critical that quality of life outcomes be set by the individual adult with their family and friends and by families with children.

Recommendation 31: Determination and Evaluation of Service Outcomes

Issue

The new Authority will be required to determine expectations of Service Outcomes and establish the means of insuring outcomes are met.

Recommendation

That the new Authority's policy relating to determination and expectation of Service Outcomes contain the following provisions:

(1) Service Outcomes will be negotiated by the individual adult, with family and friends, families with children, the service provider and the authority.

(2) The authority will be responsible for setting the overall level and quality of Service Outcomes.

(3) The authority will be responsible for ensuring services are provided economically, efficiently and effectively.

(4) Service Outcomes may include, but not necessarily be limited to:
   (i) support for individuals, children and their families;
   (ii) shelter;
   (iii) a friendly, personalized living environment where the individual is safe and secure;
   (iv) individual independence including employment; and
   (v) health and well being.

Further, that the new Authority's policy relating to evaluation of Service Outcomes contain the following provisions:

(5) Service Outcomes will be managed, reported and evaluated within frameworks that enable and respect meaningful participation of children and their families, individual adults, family members and service providers.

(6) Evaluation of Service Outcomes will be based on respect for the choices made by families with children, and the individual adult with their family and friends taking into account the cost effective use of public funds.

(7) The authority will develop and implement appropriate assurance mechanisms that focus on the quality of life of individual adults, of families with children, and that may include, but not be limited to: performance measurement and reporting, evaluation, value for money audit, organizational effectiveness assessments, accreditation processes and operational reviews.

(8) The authority may continue the accreditation program currently established by the ministry (CARF and COA) through to the end of the fiscal year ending March 31, 2004.

Rationale

This recommendation is intended to establish the principles and guidelines for the determination, establishing standards and evaluation of services. Additionally, the recommendation provides for continuity in the accreditation program established by the ministry and larger service providers.

The current situation with respect to accreditation should be supported by the new Authority to the extent that it provides benefits to individuals, families and community, that appropriate funding for accreditation is available and that other options may be considered and implemented.

Recommendation 32: Measuring and Reporting on Performance

Issue

The new Authority must establish and maintain procedures and systems for measuring and reporting on performance.

Recommendation

To ensure that it will have the systems needed to measure and report on performance, the new Authority will adopt the following performance measurement policies:

(1) Intended performance will be clearly established through the authority's budget, program and business planning processes.

(2) The authority's management processes will be integrated and consistently focused on key aspects of performance.

(3) The focus throughout the service system will be on intended and actual performance.

(4) The authority's business plans will specify goals and measures for all program areas.

(5) As roles and responsibilities of front-line staff and service providers are made clear, administrative and traditional contract management controls will be re framed in exchange for clear accountability for performance.

(6) The authority will establish personnel management systems that encourage performance.

(7) The authority will adapt existing and develop new information management systems to capture appropriate performance information.

(8) The authority will introduce outcome-based evaluation for all service areas.

(9) The authority will provide fair, reliable and timely reporting about intended results for all key aspects of its performance.

(10) The authority will strive to create a culture where results are valued.

Further, to be accountable for performance, the authority will make available to the minister, the Legislative Assembly and the public information that includes:

(1) plans to meet government-wide policy and financial strategies as required;

(2) annual and rolling three year Service Plans to standards set by government;

(3) annual and rolling three-year budget plans;

(4) full reporting on quantity, quality and cost of all service and support provided by the new Authority;

(5) measures of the Service Outcomes and Personal Outcomes achieved by the new Authority;

(6) measures of the extent of compliance with legislation and expected standards of conduct; and;

(7) assessments of organizational capacity to deal with the future.

Rationale

The key elements of measuring and reporting on performance outlined above are consistent with the accountability framework recommended for the new Authority.

Recommendation 33: Annual Service Plan and Budget

Issue

The new Authority will have a requirement to develop a rolling three year Service Plan and budget.

Recommendation

That the new Authority will prepare, and submit for approval of the minister, an annual community living services plan that includes the following:

(1) expectations of government;

(2) the authority's mandate and vision;

(3) specific objectives and expected results;

(4) proposed service delivery structure that indicates what services will be offered, how they will be delivered, and the board's rationale in terms of how the proposed structure will assist in meeting the authority's objectives and expected results;

(5) an administrative management plan describing the number and function of managers, supervisors and staff, indicating how the plan will support the proposed service delivery structure and effective contract and financial management for services and programs funded by the authority;

(6) a performance management plan

(7) a quality assurance and quality management plan;

(8) a fiscal forecast for the authority for the fiscal year for which the estimates are presented and the following 2 fiscal years, including a statement of all material assumptions and policy decisions underlying that forecast; and

(9) such other information that minister considers appropriate.

Rationale

This recommendation is consistent with the principles set out in the *Budget Transparency and Accountability Act*.

Recommendation 34: Quarterly financial reports

Issue

The new Authority will be required to maintain regular financial reporting to government.

Recommendation

That the new Authority submits quarterly financial reports to government setting out statements of:

(1) actual revenues and expenses, and the resulting surplus or deficit, for the period from April 1 in the fiscal year to which the report applies to the end of the quarter to which the report applies;

(2) the forecast of revenues and expenses and the resulting surplus or deficit for the fiscal year to which the quarterly report applies; and

(3) such other information as may be specified in the MOU PA or required by the provisions of the *Financial Reporting Act* or *Budget Transparency and Accountability Act*.

Rationale

Quarterly reporting of this nature will help ensure financial accountability.

Recommendation 35: Annual report

Issue

The new Authority will be required to submit an annual report.

Recommendation

The new Authority will prepare, and submit to the minister, after the end of its fiscal year:

(1) a report of the board on the authority's operations for the preceding fiscal year, including performance targets, benchmarks and measurement results;

(2) a financial statement showing the assets and liabilities of the authority at the end of the preceding fiscal year and the income and expenditures of the authority for that year and a statement of changes in financial position of the authority for the year then ended;

(3) a report on quality assurance;

(4) an audit attestation by the Auditor General of BC on the financial and performance information contained in the annual report; and

(5) such other information as may be specified in the memorandum of understanding protocol agreement between the board and the minister.

Further, that the statute establishing the new Authority contain the following provisions:

(6) The annual financial statement referred to in subsection (2) must be prepared in accordance with generally accepted accounting principles.

(7) On receipt of an annual report, the minister shall table that report in the Legislative Assembly.

Rationale

These recommendations are intended to assure that the new Authority meets the high standards of annual reporting expected of public organizations.

Recommendation 36: Meetings

Issue

The new Authority will have to establish and maintain rules for meetings of the Board of Directors.

Recommendation

That the statute establishing the new Authority contains the following provisions:

(1) Meetings of the board are open to the public, but the board may exclude the public from a meeting if the board considers that, in order to protect the interests of a person or the public interest, the desirability of avoiding disclosure of information to be presented outweighs the desirability of public disclosure of the information.

(2) The authority will convene an annual public meeting once in every calendar year. The agenda must include, but not be limited to:

(i) presentation of the performance report for the past year;

(ii) presentation of the audited financial statements for the past year;

(iii) details of the current year's service and budget plans as presented to the minister; and

(iv) the annual report of the board.

Rationale

Meetings that are open to the public are an important element of transparency and accountability.

Recommendation 37: Information Collection, Management and Use

Issue

The new Authority must establish principles, policy and procedures with respect to information collection, management and use.

Recommendation

That the new Authority's policy relating to information collection, management and use contain the following provisions:

(1) The authority will be responsible for ensuring that the collection, management and use of information with respect to individual adults and families, families with children served by the authority will be governed by the principle of usefulness in that the information must be relevant to the quality of life of individual adults and of families with children, and that all information must be reliable, accurate, complete and timely.

(2) The authority will be guided by the principle of least intrusion in that the need to collect information will be clearly defined and that policy and procedures will be developed to verify a continuing need.

(3) The authority will establish policies, including a Privacy Charter, that protect individual adults and families, and families with children in respect of all personal information collected and its use including the securing of consent for all manner and use of information.

The authority will develop management information systems that build on the work done by the ministry and by the community that envisions service and support that is managed by the authority, service providers, the individual adult and family members, and families with children while at all times observing the principle of community control over decision making on information management and communication issues is observed.

Rationale

This recommendation aims to ensure the economic, efficient and effective use of accountability and program management information, while at the same time safeguarding individual privacy.

Recommendation 38: Principles

Issue

There is a need for a common understanding of principles appropriate to the offering of individualized funding.

Recommendation

That the new Community Living Authority (the "new Authority") adopts the following principles with respect to support for individuals, children and their families and in particular, in relation to the offering of individualized funding as an option to all who wish it:

1. Families with children with special needs and people with disabilities and their personal networks are trustworthy, and make appropriate decisions.
2. Policies and regulations will be culturally sensitive and promote the gifts and aspirations of individuals' and families.
3. Funding allocations will be based on a support plan that identifies disability related needs developed by the person and, where appropriate, their personal network and trusted advisors or by families on behalf of their children.
4. Families, individuals and their chosen supporters will determine how agreed funds are spent within legal and policy parameters.
5. Funding will be paid through a process appropriate for individuals and families, including the option of individuals being paid directly.
6. Supports will be available to assist individuals and families to use and manage individualized funding.
7. Individualized funding will be portable throughout the province.
8. Access will be straightforward with transparent, understandable policies and regulations.
9. Within established policy parameters the new Authority must justify why identified needs are not eligible for funding.
10. Individuals and families will have access to an independent appeal process.
11. Requests by families or individuals to re-negotiate funding due to crises, changing needs or circumstance will be addressed in a timely and responsive manner.
12. Access will be equitable across a range of needs for eligible children and adults subject to limits imposed by the fiscal resources and mandate of the new Authority
13. Privacy rights of children, their families, adults and their personal networks will be respected.

Rationale

These principles embody the philosophy and approach that must be present to engender a culture suitable to the provision of individualized funding.

Recommendation 39: Individualized Funding in Legislation

Issue

The capacity to deliver individualized funding and the right of choice for individuals and families needs to be embodied in legislation.

Recommendation

That legislation enables individualized funding and empowers the new Authority to make it available as an option for adults with a developmental disability, children with special needs and their families who receive supports and services from the new Authority.

Rationale

There is a regulatory capacity issue that needs to be addressed in legislation and there is a strong desire from individuals and families to have the right of choice of individualized funding reflected in legislation.

Recommendation 40: Individualized Funding for Children and Their Families

Issue

The concept of individualized funding must be defined in terms of families.

Recommendation

That in the case of children, individualized funding be viewed as a means to address the needs of the child ***and*** the family.

Rationale

Individualized funding is seen as a primary means of supporting families, building resilience and reducing dependence on services. This recommendation makes the objective clear.

Recommendation 41: Individualized Funding Use – Globally Funded Services

Issue

There is a need to clarify how individualized funding relates to service providers contracted directly with the new Authority.

Recommendation

That recipients of individualized funding be free to access globally funded programs or to explore new service alternatives.

Rationale

This recommendation clears the way for cooperation among individuals, families, service providers and their communities in furthering the objectives of individuals and families. It also avoids the perception of "us and them" and brings what could be considered divergent interests much closer together.

Recommendation 42: Creating and Funding a Planning Support Commission

Issue

It is important to children with special needs, their families and adults with a developmental disability that they have access to individual and family planning and support within communities.

Recommendations

That a Planning Support Commission ("the Commission") be structured as a five member commission, with at least 3 members being people with a developmental disability or family members of a child or adult with a developmental disability, appointed to the Commission by the Board of Directors of the new Authority from nominations from the community.

Further that members would serve 3-year terms and be eligible to serve an additional 3 year term, with appointments staggered to provide continuity.

Further that the chairperson of the Commission be elected annually by the members of the Commission.

Further that members of the Commission receive compensation in accordance with government standards.

Further that the Commission has the operational authority and responsibility to:

(1) Ensure information, advice and planning support is available in an accessible and efficient manner to eligible individuals and families throughout the entire province.

(2) Recruit, train and administer all staff (and any contractors they may require) including the Commissioner or CEO of the Commission.

(3) Stimulate community capacity to enable full community participation by people with disabilities, children with special needs and their families.

(4) Document, disseminate and provide consultation and training on "best practice" in personal planning, alternative service/support models and building the social economy.

(5) Assess the availability and effectiveness of community support services and systems, and provide feedback and recommendations to the new Authority and other relevant bodies.

Further that the Commission be subject to a requirement to produce an annual report, independent of the new Authority, which would be passed without amendment, via the board of the new Authority, to government to affirm and reinforce the Commission's responsibility to serve individuals and families.

Further that the objectives and functions of the Commission be:

- To develop and foster links to existing support capacity within communities
- To create an accessible database with information relevant to local communities
- To establish processes to facilitate linkages with peers
- To build tools to enable individuals and families to "self direct" all aspects of planning (e.g. meeting employer of record responsibilities, as well as accessing and using services and supports)
- To provide technical advice and support to meet disability related needs, including:
    - Identifying means by which individuals/families can secure the support they need without relying on public funding
    - Exploring support options that are outside of the traditional service based network
    - Encouraging collaboration and cooperation amongst individuals and families in identifying support options
    - Applying for needed services or supports
    - Working with service providers to develop more flexible options to address needs, solve problems, and settle disputes.
    - Developing personal support plans
    - Providing encouragement individuals, families and service providers who wish to work together to "individualize" block funded contracts
    - Assisting individuals and families to resolve crises without reliance on the service system or, when a service is involved, by liaising on their behalf with service providers or with the Governance Authority, who would be ultimately accountable for resolution and /or the provision of required funding
    - Assisting to negotiate IF, or develop and implement contracts to purchase supports
    - Providing expertise and encouragement to use IF, including establishing alternative supports (e.g. worker or social co-ops, or small businesses)
    - Ensuring people with disabilities can access advocacy and personal decision making supports, including Representatives where appropriate (see Section 6)
- To encourage, train and guide stakeholders to think creatively in responding to the needs of individuals and their families and to include them in meaningful roles and activities
- To stimulate citizens and communities to respond to this thinking by supporting the development of alternative service and support models, including those which do not involve formal paid services
- To assist in matching people to available resources in the current service system

- To provide feedback to the Governance Authority on community needs and service/support gaps

Further that a fixed, formulae-driven mechanism be utilized to ensure continuity and stability of funding for the Commission.

Rationale

This model creates a new face and purpose for the community presence of government. It represents the fulfillment of individual and family efforts spanning decades to establish individualized funding. It provides an operational independence of the planning/support/advice functions while maintaining complete accountability to the new authority with an oversight/accountability role for individuals with a developmental disability and families through membership on the Commission.

Recommendation 43: Problem-solving and Dispute Resolution Process

Issue

Individuals and families need a problem solving and dispute resolution process as a check and balance within the system.

Recommendation

That the Authority establish a problem-solving and dispute resolution process to resolve disputes arising from decisions of the Authority with respect to eligibility or allocation.

Rationale

A dispute resolution process is an essential element of accountability to individuals and families.

Recommendation 44: Guidelines for "New" Money in the System

Issue

Funds will, from time to time, be approved and be available for families and individuals who are not served or who are underserved. Priorities must be established in policy for the application of these funds.

Recommendation

That the new Authority establish, publish and make widely available, clear parameters and priorities to guide resource allocation decisions by the Commission, including but not limited to:

- People living with senior parents/family members who are in frail, or poor health;
- People experiencing a major crisis situation;
- People using "highly problematic" services that have the potential to negatively impact health and safety;
- People waitlisted for services with health or safety concerns;
- People at major life transition points – especially children turning 19 and leaving school;
- People moving out of Willow Clinic;
- People motivated to change their lives.

And that the implementation of individualized funding be driven by a shared interest in demonstrating how relatively small allocations can facilitate changes in a person's life and, accordingly, people for whom such allocations are appropriate be given a degree of funding priority.

Rationale

Priorities must be clearly understood by staff and contractors of the Commission and by families and individuals.

Recommendation 45: Individualized Funding and Children's Programs

Issue

Conversion of existing contracted services for children to a more family centered individualized funding approach is seen to be fundamental to strengthening the family unit and building independence from conventional, higher cost services.

Recommendation

That all children's programs be reviewed to determine their suitability for conversion to an individualized funding model.

Rationale

A separate and in depth exploration of contracted children's services needs to be undertaken in the context of individualized funding.

Recommendation 46: Staffing of the Commission and Planning Support Centres

Issue

The staffing/contracting issues for the Planning Support Commission and Community Planning Support Centres are complex.

Recommendation

That initial estimates for staff and other contract resources requirements of the Planning Support Commission and Community Planning Support Centres be determined by the Interim Community Living Authority.

Rationale

Detailed operational and financial planning must take place within the Interim Community Living Authority.

Recommendation 47: Representation Agreements

Issue

Representation Agreements are a potentially valuable and powerful resource in the new system.

Recommendation

That the *Representation Agreement Act* regulations defining routine management of financial affairs be amended to include a specific reference to matters related to individualized funding.

Rationale

The adult guardianship framework offers opportunities to support personal decision making and is based on principles that introduce into law a multi dimensional vision of capability that provides an alternative to guardianship. The Representation Agreement Act is a tool to ensure individuals have the advocacy support and protections needed to pursue their goals, and provides:

- A vision of capability that recognizes abilities, intelligences and communication as multi-dimensional and unique to the individual and their circumstances
- An ethical framework for supported decision making centered on self determination
- A means to ensure that decision-makers are accountability to individuals
- A process to preserve and strengthen communication
- Legal recognition of the interdependence of relationships
- A flexible model for individualized and integrated financial and personal planning
- A way to formalize existing supports and facilitate development of new relationships

Personal care under Section 7 of the Act may include but is not limited to matters dealing with diet, exercise, living arrangements, spiritual or religious traditions and activities, arranging home support, etc. The authority to assist decision-making within an IF model can be found under the heading of "personal care and routine management of financial affairs". For example, a representative would have authority under the definition of routine management of financial affairs in Section 7 to assist an individual by hiring bookkeeping or accounting services, contracting on behalf of the individual and accessing information to which the individual is entitled.

Recommendation 48: Tax Treatment of Individualized Funding

Issue

The consideration of all of the implications of individualized funding within the *Canada Income Tax Act* is critical to the security of individualized funding as a means of supporting individuals and families.

Recommendation

That a ruling be sought from the Canada Customs and Revenue Agency as soon as possible on the tax status of individualized funding in BC.

Rationale

Absent a CCRA ruling, there remains a danger that people receiving IF may be required to pay income tax. According to the Roeher Institute, CCRA has thus far issued exemptions on a case-by-case basis. In addition to seeking an exemption from CCRA, a longer term strategy would be to meet with the Federal Department of Finance to request policy changes fully exempting IF from being viewed as income.

Recommendation 49: Contributions from Families

Issue

No mechanism exists for provincial tax credits to recognize extraordinary financial and in kind contributions from families.

Recommendation

That the new Authority works with the provincial government to establish a tax credit to recognize and encourage the expenditures and contributions of families in relations to the extraordinary costs associated with disabilities and special needs.

Rationale

A family contribution to the cost of support for a family member is an important element in building resilience in families and in reducing dependence on government services. The Authority requires a strategy to encourage, welcome and acknowledge contributions and the tax system is the logical way in which to do this. It is believed that the gain to communities as a whole resulting from tax system recognition of contributions would far outweigh the loss of revenue from the associated tax credits.

Recommendation 50: Income Testing

Issue

Contribution from families to the costs of support for family members is an important element of building resilience and reducing dependence on government services. Income or means testing has been frequently raised as a means of forcing contribution from families.

Recommendation

That the Authority establishes regulation and policy within a framework that:

a] does not include income testing as the primary determinant in the provision of individualized funding, conventional services or programs for children or adults;
b] recognizes the extraordinary costs, financial sacrifices and in kind contributions of families and individuals;
c] provides alternative means of encouraging, welcoming and acknowledging contributions from families;
d] is at least revenue neutral in terms of current contribution from families.

Rationale

Current programs vary in terms of whether families are income tested (e.g. Respite; At Home Respite, Homemakers), whether they have to make other kinds of contributions (e.g. Special Needs Agreements; Associate Family) and how they are enforced. The system is not fair in that families may or may not be income tested depending on the program used. Families with children with special needs already face extraordinary costs and make financial sacrifices such as foregone income. There are many direct financial and in kind ways in which families can and do contribute. Policies must be developed which recognize such contributions. The current income testing is unevenly applied, with some programs exempt and others offering similar supports requiring payment.

This initiative would need to be jointly reviewed by the new Authority and the MCFD, and be tested for fairness, consistency of application, and preferably being revenue neutral. This argument is based on the general assumption that families pay what it would cost to have a typical child at home.

The MCFD already collects $324,000 annually from families who place their children in care. In addition, families make many contributions, both in cash and kind for adult members who live in residential settings contracted by Government. They should also be encouraged to do so by removing the penalties associated with such contributions.

Recommendation 51: Family Members as Caregivers

Issue

The issue of one family member being paid to provide care for another family member with a disability is an issue that which requires clarification.

Recommendation

That legislation, regulation or policies provide the capacity to compensate parents or siblings as caregivers where this is the best option in the circumstances.

Rationale

Families have unique needs that must be met to promote family functioning. In some cases, the best option for the child and family may be to pay a parent or sibling as a caregiver. Such a policy is based on an understanding that:

- extraordinary contribution of families to care of their children's should be recognized;
- payment may be the only way to support some families to keep their children at home,
- payment may provide sufficient support to prevent them from becoming dependent upon social assistance;
- targeted payments may make the best use of natural supports, by complementing the parent's role as the natural caregiver, resulting in overall cost savings;
- where geography/location prohibits other option;
- where it is the only way to provide culturally appropriate support;
- where the skills required to meet the child's needs are not otherwise available;
- where a parent with a disability also needs care at home.

Recommendation 52: Principles Statement

Issue

Need for a common understanding of, and clear commitment to, principles that embody the vision of the community governance and that highlight the responsibility of the Authority to develop policies and practices that reflect the best interests of children with special needs.

Recommendation

That the Authority adopts and observes the following principles:

Family Choice

Children have the right to grow up within family relationships that are safe, loving, nurturing and stable. Families know themselves and their children best, and are best placed to make decisions on their behalf.

Therefore,

- We respect and accept families' values, based on their own cultural beliefs, life ways and individual experience.
- We respect the right of families to drive service development and delivery, and to control how, where, when and by whom they receive services/supports.
- We provide the means for families to access custom-designed individualized services/supports that reflect their needs, resources and dreams.

Self Determination

Our ultimate desired outcome is for families to thrive and see their children grow into adults who can live with dignity and realize their full potential and citizenship. Therefore,

- We empower families and children and promote self determination.
- We support children to learn about themselves and have appropriate input into decisions affecting them.
- We promote access to advocacy and self advocacy support.

Relationships Based on Trust

While families have the primary responsibility for the growth and development of their children, they face extraordinary challenges in raising a child with special needs. They need service/supports to meet those challenges and to maintain their integrity and strength as a family. Therefore,

- We honour and value the expertise of families and the contribution and commitment that they make to their children's development and well being.
- We believe in the potential and capacity of families and children and trust families to know what they need.
- We build relationships and work in partnership with others to access resources and provide services/supports.

Community Inclusion

All children and families have a right to be full participants in their communities. All communities benefit from the full participation of all members. Therefore,

- We strive to provide natural supports in natural environments.
- We communicate and relate in an inclusive and open way.
- We support families to network with other families
- We work with families and communities to design services supports that reflect local needs, resources and cultural diversity.
- We work to build capacity and accessibility within communities.

Life Long Support

Children have a right to a life-long continuum of service support that changes and adapts as they grow and develop. Smooth transitions between life stages are key to success. For many, the commitment and involvement of family remains central and vital throughout their lives. Therefore,

- We provide services/supports that are planned, individualized, holistic, flexible, portable and seamless, allowing for change over time and for the natural development of children within the context of their families.
- We plan, support and resource transitions.

Responsiveness

Families deserve services/supports that meet their needs as soon as those needs are identified, and as those needs change. Therefore,

- We proactively support families from an early age.
- We ensure that services/ supports are readily and fairly available when families need them.
- We provide families with easy access to information about services, supports, resources, therapies, options and research.
- We respond quickly to changes in families' needs and circumstances.

- We safeguard services/supports at points of crisis.

Accountability

Services/supports are focused on outcomes for families and children, and are accountable to families, communities and the public. At the same time, we are not limited by what exists. Therefore,

- We follow provincial standards that define financial accountability, outputs and outcomes.
- We base services/supports on best practice.
- We support families, staff and service providers to build on successes and to continually evaluate and improve practice.
- We build in quality assurance processes that include family feedback.
- We are committed to reducing and eliminating barriers to optimal service/support.
- We are open to new, creative solutions and approaches.

Rationale

Principles of the Authority must reflect the specific and unique considerations that shape life for families with children with special needs.

These principles reflect years of work by families of children with special needs, accurately define the value basis for successful service/supports and are grounded in sound research about what works best for families. While the core values they reflect are shared with those affecting adults, the ways in which they are expressed and interpreted differ.

The reality of families with children with special needs is different from that of adults with developmental disabilities and their families. There are unique considerations affecting these families that must be reflected in how they are served and supported. These include their legal, financial and moral responsibility to support their children and make decisions on their behalf; the complexity of the multiplicity of systems they encounter; the need for supports that address both the child's needs and the family's needs; and the particular challenges associated with the transition to adulthood.

The sheer size and demands of the adult serving system could easily outweigh children and family concerns unless the culture and approach of the Authority gives equal standing to both from the beginning.

Feedback from families at the community meetings indicates some concern that children's services have been "split" between the CLS and CFDS authorities. This creates an even stronger need to demonstrate the commitment to see the new CLS Authority serve children and families in a meaningful and inclusive way.

Recommendation 53: Board of Directors Representation

Issue

Children's issues and interests must be represented at the highest governance levels within the Authority.

Recommendation

That the Board of Directors of the Authority include at least two [2] family members of families with minor children.

Rationale

Individuals with a disability and family members are to represent the majority [50% plus 1] of appointments to the Board of Directors of the Authority and it is important that within these appointments that the interests of children are represented.

Recommendation 54: Functional Responsibility at Community Level

Issue

It is important for children and families that the authority maintains responsibility for certain functions at the community level.

Recommendation

That the Community Living Authority have responsibilities for certain functions at the community level throughout the province. These functions to include determination of eligibility, crisis response and intervention, critical incident and issue management, liaison with CFDS Authorities, contracting and monitoring with service providers and, for at least an interim period, guardianship and planning responsibilities for children in care with special needs.

Rationale

It is important that the authority be responsible for the above functions. These functions will be required, and, in order to be responsive to family and local needs, they need to be available at the community level.

The TSC has approved in principle that, for an interim period of a year, the budget and human resources required to support children in care currently eligible for Community Living Services, will be transferred seconded to the Community Living Authority. The authority will be required to ensure the guardianship and planning responsibilities required to ensure the safety, health and well being of these children are available in the community.

In the longer term, alternative mechanisms and service models are envisioned that would enable the provision of residential support to children without the involvement of the Director. While guardianship responsibilities will not need to be fulfilled for these children, there will be planning and contracting responsibilities associated with supporting them and their families.

Recommendation 55: Eligibility Criteria for Children

Issue

There is a need to establish eligibility criteria particularly to ease concerns during transition.

Recommendation

That the Community Living Authority adopts the same eligibility criteria as the Ministry currently has for children's community living services based on the presence of a developmental disability, autism spectrum disorder, or that the child is eligible for the At Home Program.

Rationale

The term "special needs" is broadly used within the Ministry now, and can refer to children appropriately served in CFDS such as those with mental health challenges or FAS E. We need to be clear which children we are mandated, funded and best able to serve.

This will cause no disruption, change or confusion during the transition period.

Children with physical and multiple disabilities and their families are better served through a community living "lens" than through the CFDS authorities. The CLS Authority will have the expertise in family-centered care and life-long supports that these families need. It will also be best equipped to facilitate successful transitions for these children, whether to adult community living services, health services or both.

Recommendation 56: Budget Levels

Issue

Sufficient funds are required to safeguard children with special needs and their families both during the transition period and beyond.

Recommendation

That the Ministry provide the Community Living Authority with sufficient financial resources to maintain the initial baseline proportion of its budget dedicated to children and family services for the transitional period, until a five-year budget forecasting process that enables adequate planning, including transition planning for youth turning 19, can be developed.

And further,

- That the budget for the service and support for children with Autism Spectrum Disorder and their families be safeguarded at the current level unless a future court decision allows otherwise.
- That any future liabilities or financial obligations resulting from the court action regarding early intensive behavioral intervention for children with autism be borne by the Province.
- That the funding levels for families currently served by the Associate Family Program be protected until those children reach age 19.
- That the budgets for residential care for children to be served by the Community Living Authority be transferred with protection from the reductions to CFDS residential budgets.

Rationale

The Authority will be bound by two court decisions which have ruled on the provision of early intensive behavioral intervention for children with autism aged birth to six years. Parents have long sought this support and the level at which the current support is provided should be protected from reduction. The most recent Court ruling is currently under consideration of the Attorney General with regard to appeal. There may also be future rulings that could place additional liabilities on the Province.

Families served by the Associate Family program had been given historical commitments that the program will not be changed for their children.

The assumptions underlying the anticipated 30% budget cut to CFDS residential services do not apply to children served by Community Living.

Transition planning for children turning 19 years of age has never been properly planned for or funded.

Recommendation 57: Joint Policy Directorate – Terms of Reference

Issue

The Terms of Reference of the Interim Joint Policy Directorate and the Joint Policy Directorate must be defined.

Recommendation

That the Terms of Reference for the Interim Joint Policy Directorate be defined in a Letter of Intent [LOI] from the Minister of Children and Family Development to the Interim Community Living Authority and that the Terms of Reference for the Joint Policy Directorate be defined in a Memorandum of Understanding [MOU] between the Ministry of Children and Family Development and the various authorities representing the interests of children and providing support to children and families and that both the LOI and the MOU include the following provisions:

Joint Policy Directorate

A joint policy directorate will be created under this Memorandum of Understanding on or before the 1st day of September, 2002, and it shall be called the *Joint Policy Directorate for Services to Children with Special Needs* [the "Joint Policy Directorate"] and it shall have authority as hereinafter described over the following services and programs:

- Infant Development Program
- Supported Child Care
- Early Intervention Services
- School Age Therapy Services
- At Home Respite Program
- Early Intensive Intervention
- Brain Injury Program.

Composition – Interim Period

With due consideration to the various timelines and expectations in regard to the establishment of transition authorities and governance authorities for children and family development services, aboriginal services and community living services, the Minister of Children and Family Development shall appoint nine (9) representatives to the Joint Policy Directorate as follows:

- Three [3] representatives of community living services based upon the recommendation of the TSC,
- Three [3] representatives of children and family development services based on the recommendation of the transition steering group for children and family development services, and,
- Three [3] representatives of aboriginal services,

subject to an overall requirement that individuals with disabilities, family members of children with disabilities, parents of children receiving services, or family members of families receiving support shall comprise five [5] of the nine appointments.

The Assistant Deputy Minister, Children and Family Development Services, shall be an ex officio member of the Joint Policy Directorate and shall at all times be able to participate in the discussion of issues but shall not have a vote.

Composition – Post Interim Period

As the transition authorities and governance authorities are established for children and family development services, aboriginal services and community living services, the Minister of Children and Family Development shall appoint nine (9) representatives to the Joint Policy Directorate as follows:

- Three [3] representatives of community living services based upon the recommendation of the community living services transition authority and thereafter, when the transition authority ceases to exist, upon the recommendation of the community living services governance authority,
- Three [3] representatives of children and family development services based on the recommendation of the children and family development services transition authority or authorities and thereafter, when the transition authority or authorities cease to exist, upon the recommendation of the children and family development services governance authority or authorities, and,
- Three [3] representatives of aboriginal services based on the recommendation of the aboriginal services transition authority or authorities and thereafter, when the transition authority or authorities cease to exist, upon the recommendation of the aboriginal services governance authority or authorities,

subject to an overall requirement that individuals with disabilities, family members of children with disabilities, parents of children receiving services, or family members of families receiving support shall comprise seven [7] of the nine appointments.

In addition to the nine [9] community representatives described above, there shall be three [3] additional members of the Joint Policy Directorate as follows:

- The CEO, interim CEO or their designate of the community living services transition authority or when the transition authority ceases to exist, of the community living services governance authority,
- A CEO, an interim CEO or their designate of the child and family development services transition authority or, should there be more than one transition authority, the CEO, interim CEO or their designate of just one of the transition authorities or, when the transition authority ceases to exist, of the child and family development services governance authority, or should there be more than one governance authority, the CEO, interim CEO or their designate of just one of the governance authorities, and,
- A CEO, an interim CEO or their designate of the aboriginal services transition authority or, should there be more than one transition authority,

the CEO, interim CEO or their designate of just one of the transition authorities or, when the transition authority ceases to exist, of the aboriginal services governance authority, or should there be more than one governance authority, the CEO, interim CEO or their designate of just one of the governance authorities.

The Assistant Deputy Minister, Children and Family Development Services, shall be an ex officio member of the Joint Policy Directorate and shall at all times be able to participate in the discussion of issues but shall not have a vote.

Appointments to the Joint Policy Directorate

All appointments to the Joint Policy Directorate shall be in accordance with the following:

- Individuals appointed shall be referred to as "members" of the Joint Policy Directorate,
- Members shall be 19 years of age or over, and residents of British Columbia,
- Appointments shall be for a term of two [2] years and the Minister shall be able to reappoint members for up to three [3] consecutive terms,
- The three [3] positions reserved for the CEO or interim CEO or their designate, may, in the case where there is more than one transition authority or more than one governance authority established for child and family development services or aboriginal services or both of them, be considered as rotating or revolving membership such that authorities within service areas may, by mutual agreement, share the CEO representation,
- Appointments shall reflect the geographic and cultural diversity of British Columbia and shall reflect family members/parents of children of a range of ages,
- No person employed by or under contract to the Ministry, the Transition Steering Committees, the transition authorities or the governance authorities may serve as a member of the Joint Policy Directorate, excepting service contractors providing services to children, families or persons with disabilities,
- Four of the initial nine [9] appointments shall be for a term of one [1] year, to provide for overlapping appointment terms however, such one year appointments shall not be considered a term for the purposes of section 10.3,
- Appointments of CEO's under sections 9.4, 9.5 and 9.6 can revolve in any fashion satisfactory to the authorities represented by those appointments.

Principles

The following principles shall guide the Joint Policy Directorate in its work and decisions:

- Families have the primary right and responsibility to protect and support the growth and development of their children,
- Children with special needs have the right to grow up within safe, stable, loving family relationships, and welcoming inclusive communities,
- Given appropriate opportunities and services/supports, families with children with special needs can successfully meet the extraordinary challenges they face,
- The desired outcomes of service/support are for families to live natural, healthy lives, raise their children at home, and see them grow into adults who can live with dignity and realize their full potential and citizenship,
- The members of the Joint Policy Directorate honour and value the expertise of families of children with special needs and the extraordinary contribution they make to their children's development and well being,
- The development, planning, delivery and evaluation of service/supports are driven by family choice, focused on the individual needs of children and families and conducted in an atmosphere of openness, trust, accountability and empowerment,
- The Joint Policy Directorate sets policies and makes funding and other related decisions within a framework of shared and mutual accountability amongst the authorities which shall require, at a minimum, all authorities to accept and adopt outcomes and indicators consistent with this framework,
- Members of the Joint Policy Directorate are committed to acknowledging and enhancing the capacity of communities and community based services to support and include children with special needs and their families, and recognize and respect that they share this responsibility with families, communities, the Ministry and the governance authorities.

Mandate

The Joint Policy Directorate shall be responsible for:

- Development and approval of all policy for the services outlined herein including all future changes to policy,
- Allocation of the funding provided by government to the relevant authorities, both existing and future, for the services outlined herein, including the approval of allocations within authorities and within regions,
- Provision of advice and recommendations to the Minister on Federal Provincial agreements and funding transfers directly or indirectly related to the services outlined herein,
- Provision of advice and recommendations to the Minister on funding submissions to Treasury Board for the services outlined herein,

- All existing policy and practice and all new policy development with respect to the transition of children to adults for the services outlined herein,
- Identification of needs, issues and potential innovations related to the services outlined herein, and provision of advice and recommendations to the Minister and authorities regarding same,
- Identification of interministerial issues and coordination needs related to the services outlined herein, and recommendations to authorities regarding same,
- All policy and practice existing during the creation of transition authorities and all new policy development of transition authorities and governance authorities for the services outlined herein,
- Conduct of a review, at least annually, of this Memorandum of Understanding, to ensure that the assignment of responsibilities between authorities and to the Joint Policy Directorate best meets the needs of children with special needs and their families, and is in keeping with the principles outlined herein, and will make appropriate recommendations to the Minister regarding any required changes,
- Development, implementation and maintenance of a funding mechanism to ensure support of the various transition and governance authorities for the work of the Joint Policy Directorate,
- Development, implementation and maintenance of a Joint Staff Technical Advisory Committee comprised of staff members of the various authorities to provide expert advice on issues before the Joint Policy Directorate,
- Resolution of disputes arising from current or existing practice, application of existing and new policy and allocation of funding for services outlined in herein including, referral to a standing independent arbitrator, appointed by from time to time by the Joint Policy Directorate, who will resolve any issues that cannot be resolved at the Joint Policy Directorate and whose decision will be final,
- Maintenance of the protocol developed jointly by the Ministry and the Community Living Services Transition Steering Committee describing the requirements for each governance authority operating under the Joint Policy Directorate including:
    - A framework for decision-making, including the achievement of outcomes and maintenance of service quality, that provides for an informal process of day-to-day and emergency decision-making at the staff level within and between the various authorities,
    - A process by which disputes are referred to the Joint Policy Directorate for resolution, including a method of making changes to this process, and methods for

informing those affected by and involved in such disputes,

- The process for requesting approval for reallocation of funding among those services outlined in section 7 herein,
- The requirement that all authorities are party to the protocol and adhere to the conditions and terms of the protocol, and
- Any other matter regarding services to children with special needs that would fall under the protocol and that is referred to the Joint Policy Directorate for Children with Special Needs by the Minister,

- Any matter concerning federal funding, cost sharing programs with other ministries or levels of government and intergovernmental relations, and,
- Any other responsibility assigned from time-to-time by the Minister.

Terms of Reference and Conduct

The Joint Policy Directorate shall:

- At the first meeting of the Joint Policy Directorate and annually thereafter, within thirty days of the anniversary date of the first meeting, choose by consensus, or failing consensus, by simple majority vote, a Chairperson and Deputy Chairperson from amongst its members to serve terms of one year without restriction as to the number of terms any member can serve as Chairperson or Deputy Chairperson and without requirement that the Deputy Chairperson shall at any time succeed to the position of Chairperson except as outlined herein,
- If the Chairperson chosen above is unable to fulfill his or her duties at any meeting of the Joint Policy Directorate, or shall resign or otherwise cease to be a member of the Joint Policy Directorate, the Deputy Chairperson shall assume the duties of the Chairperson until the return of the Chairperson or until the selection of a new Chairperson herein,
- Reach decisions by consensus, or where consensus is not possible, by simple majority vote, with each member having a vote and with a vote to be taken upon the request of any member at any time, with negative votes only being recorded, and abstentions being considered as supporting the motion being voted upon,
- Establish expectations of the Chairperson, Deputy Chairperson and the members, and policies to respond to issues where it is perceived that expectations are not met,
- Establish policies to govern the conduct of their work and to respond to issues where it is perceived by the members, or any of them, that conduct is unacceptable,
- Establish any other policies that are consistent with the conduct of the mandate, and,

- At all times shall conduct itself in an ethical, professional and respectful manner that is in accordance with the Principles outlined in section 11 herein.

On Going Support

In the interim period leading up to the creation of the transition authorities and/or the governance authorities, the Deputy Minister shall provide on going support as necessary to the Joint Policy Directorate, including, but not necessarily limited to:

- advisory, investigative, research and consultative services,
- clerical and secretarial support,
- honoraria for members, in recognition of service to the Joint Policy Directorate, at an amount set from time to time by the Joint policy Directorate, and,
- members' child care, travel and related expenses.

Upon the creation of the transition authorities, or any of them, and the governance authorities, or any of them, the Ministry shall require the authorities to maintain support to the Joint Policy Directorate on terms agreeable to the Ministry, the authorities and the Joint Policy Directorate.

Changes in Policy and/or Service Delivery Practices

The Ministry, Transition Steering Committees, the transition authorities and the governance authorities, and each of them, shall be required to provide regular updates to the Joint Policy Directorate no less frequently than twice each fiscal year and shall be further required to request and receive approval on an as-required basis for any change in policy or practice impacting any of the services outlined in section 7 herein, including, but not limited to, any change which:

- affects eligibility to receive or continue receiving a service,
- affects access to a service,
- increases any amount of contribution or fee for service required by an individual or family to receive service or to continue to receive service, or,
- reduces the amount of service provision.

Approval for changes in policy and practice must be requested in writing and such approval, if granted, be received in writing prior to any implementation of the change.

Communication

The Joint Policy Directorate shall not insert itself into the work of any transition or governance authority, or establish itself as a broad-based organization accountable directly to children, families, individuals or the public. Its accountability is to the minister and to the authorities. Therefore, it will normally communicate its decisions and activities to the Minister and authorities, who shall in turn communicate them to those affected and the public.

The Joint Policy Directorate shall not typically communicate with staff of the Ministry, Transition Steering Committees, transitional authorities or governance authorities nor will it typically communicate directly with the public.

Should the Minister so request, the Joint Policy Directorate will cooperate with the Ministry, the Transition Steering Committees, transitional authorities and governance authorities, or any one of them, in communicating with the staff or public, provided any statement shall be approved by the members and made by the Chairperson or Deputy Chairperson.

Notwithstanding the above, the Joint Policy Directorate may, from time to time, with the permission of the Minister, and in order to ensure it is acting in accordance with its principles, seek feedback or comment directly from the public and those affected by the services for which it has a funding, policy and oversight responsibility as outlined herein.

Confidentiality and Protection of Personal Information

The members of the Joint Policy Directorate shall at all times be bound by the terms of the confidentiality and personal information policies of the Ministry, the Transition Steering Committees, the transition authorities and the governance authorities.

Transfer to Transitional Authorities

This Memorandum of Understanding shall be in force during the interim period prior to the creation of transitional authorities, and shall transfer to the transitional authorities and the governance authorities upon their creation.

Rationale

These provisions represent the interests of children with special needs and their families.

Recommendation 58: Joint Policy Directorate - Other

Issue

There are additional considerations with respect to the relationship between the Minister and the new Authority in relation to the Joint Policy Directorate.

Recommendation

That the operational requirements of the new Authority with respect to the Joint Policy Directorate [JPD] be accomplished as follows:

1. the family members of minor children form the base of knowledge, experience and response capacity of the Board of Directors and that wherever possible, priority be given to them with respect to any appointments by the new Authority to the JPD in full or ex officio capacities, and,

2. During transition, the Minister must refer any proposed policy changes to programs included in the Minister's decision of April 17, 2002 to the JPD.

Rationale

The Child & Family Committee of the Board is best positioned to represent the Authority's interests and the interests of children with special needs on the JPD.

It is important that any contemplated change to policy be considered by the JPD.

Recommendation 59: Children in Care and Special Needs Agreements

Issue

The Minister's decision of April 17, 2002 requires that agreement be reached between the Ministry and the TSC with respect to services to children with special needs in care.

Recommendation

That, within the context of the April 17, 2002, decision of the Ministry [the "Minister's Decision"] with respect to the governance of services to children with special needs, the Ministry and TSC agree that from April 1, 2003 through March 31, 2004, current budgets and delegated authorities associated with the provision of services and guardianship for children in care within community living services and those children identified below are transferred to the provincial community living authority, and further as follows:

Children with Special Needs Currently Subject to Special Needs Agreements

With respect to the approximately 350 children with special needs currently served by community living services where custody and service is defined within Special Needs Agreements, that these children and their families be served and supported by the community living governance authority.

Children with Special Needs Currently in Care under Court Order

With respect to the approximately 210 children with special needs where custody and service is defined within a court order, that these children and their families, where appropriate, be served and supported by the community living governance authority.

Children with Special Needs Currently Served within Child and Family Development Services

With respect to the approximately 1,100 children with special needs where there exists a record of a mental handicap or autism, and where custody and service may be defined within Special Needs Agreements or court order, that Section 9. of the Minister's Decision be used to determine the most appropriate governance authority to serve and support these children as follows:

- the Ministry and the TSC jointly plan and ensure the implementation of the case by case review,
- the primary determinant be a mutually agreed upon criteria of developmental disability, autism spectrum disorder or eligibility for the At Home program,
- that where a determination is agreed that there exists for any child a primary determinant according to the criteria above, that the child,

and their family where appropriate, shall be served and supported by the community living governance authority.

Children with Special Needs That Become Subject to Special Needs Agreements

With respect to children with special needs where custody and service will be defined within Special Needs Agreements, that these children and their families be served and supported by the community living governance authority.

Children with Special Needs That Become Subject to Court Order

With respect to children with special needs where custody and service is defined within a court order, that these children and their families, where appropriate, be served and supported by the community living governance authority but where guardianship shall remain with the Ministry or the children and family development service governance authorities until a legal alternative to guardianship, mutually agreeable to the Ministry and the community living services governance authority, is created.

Children with Special Needs That May Have Recorded Health or Behaviour Indicators

With respect to children with special needs where there will exist a record of mental handicap or autism, and where custody and service may be defined within Special Needs Agreements or a court order, that the Joint Policy Directorate [the "JPD"] determine the most appropriate governance authority to serve and support these children as follows:

- the JPD, by any process they determine, review all information available to all authorities and to the ministry,
- the primary determinant of the review to be a predominant likelihood that the child in question will require life long support to live and enjoy life in their communities, and,
- that where a determination is made by the JPD under 10.2 that the child and their family, where appropriate, shall be served and supported by the community living governance authority.

Adequate and Appropriate Funding

That with respect to all children determined to be the responsibility of the community living governance authority above, that adequate and appropriate funding be provided by the Ministry and or the children and family development services authorities to the community living services authority.

Alternate Legal Mechanisms to the Facilitate the Provision of Residential Care

The Ministry and the community living services governance authority agree to work together to establish appropriate alternative legal mechanisms for children who meet the criteria of developmental disability, autism spectrum disorder or eligibility for the At Home program, and that such mechanisms shall exist in law on or before March 31, 2004.

Confidentiality and Protection of Personal Information

The parties to this agreement and any other parties who may, from time to time become involved in provision of services contemplated herein, shall at all times be bound by the

terms of the confidentiality and personal information policies of the Ministry, the Transition Steering Committees, the transition authorities and the governance authorities.

Transfer to Transitional Authorities

This Memorandum of Understanding shall be in force during the interim period prior to the creation of transitional authorities, and shall transfer to the transitional authorities and the governance authorities where appropriate upon their creation.

Rationale

These terms and conditions are included in a draft MOU that will serve as the basis for negotiations with the Ministry regarding the interim transfer of budget and staff with delegated authority related to the provision of services and guardianship responsibilities for the children identified therein. It is important to ensure that during the one year transition period, an orderly shift to a new residential continuum of service occurs within the Authority, and the Ministry carries out an individual case review of the 1100 children, to determine which authority can best meet their needs.

It is presumed that all of these children are already being served within CLS. The natural and least disruptive option is to have them move under the Community Living Authority, with the staff and funding already attached to them. The alternative, of moving them to the CFDS Authorities, will result in significant disruption in staffing, placement, service provision and culture, and less likelihood of adequate transition planning to adult services, as CFDS Authorities have no mandate for lifelong service.

This option is the most in keeping with TSC vision, the Ministry's strategic shift towards choice, innovation and shared responsibility, and the Minister's Letter's commitment to seamless, family centered service delivery.

Section 8
Next Steps

Phase One: Defining Governance and the Terms of Transition

The Minister appointed the Steering Committee in April, 2002, and gave them a mandate to deliver recommendations on the structure of the new Authority and on the terms under which transition from government to community based governance would occur.

Planning the New Authority and Terms of Transition

This work was undertaken by the Steering Committee in April, 2002 and stretched through five months to the end of September, 2002, with the completion of the Final Draft report. The Final Draft was provided to the Minister on October 7th and circulated to all Steering Committee members for review. On October 22nd the Steering Committee met to approve additions and changes to the Final Draft and signed this report, the Final Report of the Community Living Transition Steering Committee.

Phase Two: The Interim Community Living Authority

Planning for a Successful Transition – Maintaining Community Support, Keeping Individuals Safe and Secure in Transition and Security Meeting the Government's Financial Objectives

The Minister and the Steering Committee agreed upon key elements of a successful transition from government to the new Authority:

- maintaining community support during transition,
- ensuring that individuals and families safety and security was paramount during transition, and,
- sufficient funding for the transition.

These elements were confirmed in a Letter of Intent from the Minister to the Steering Committee on October 2nd.

The first test of the capacity of the Ministry and the Steering Committee to work together within the framework of these key elements was the work to be done on the 2003/2004 budget. The challenge facing both the Ministry and the Steering Committee was to produce a plan that met the Ministry's financial objectives assigned by Treasury Board and the agreed upon framework established by the key elements. To accomplish this, the Minister and the Steering Committee agreed to *reasonableness tests* against which all budget issues and plans would be measured – the key elements defined the reasonableness tests.

A Joint Budget Working Group comprising five senior Ministry staff and five Steering Committee members was formed to develop a budget plan. This work began on October 10th and was completed on October 19th after five full days of meetings. The product of the meetings was a series of joint recommendations that were submitted to the Minister and the Steering Committee on October 22nd for their approval and subsequent Ministry submission to Treasury Board. The Steering Committee unanimously approved the recommendations.

As all participants in the budget process are subject to confidentiality restrictions, the Ministry and the Steering Committee agreed upon a statement to describe the results of the work of the Joint Budget Working Group – here is that statement.

> *"We have completed five days of intense meetings of the Joint Budget Working Group. Given the high level of interest amongst all TSC members and the community in general, we wanted to provide you with an update on our progress.*
>
> *The following statements have been agreed to by the Ministry representatives of the Working Group and should only be used in any form in their entirety. It is important to keep in mind that this represents recommendations to the Minister and as such are subject to the approval of the Minister and Treasury Board.*
>
> *We have had a productive, positive process with senior Ministry staff. The recommendations that are going forward meet the Ministry's financial objectives within a framework of a successful, safe transition that we believe will be supported by the community.*
>
> *We have identified and confirmed ways to retain existing budgeted funds within the system for strategic investments to support restructuring costs for both this year and next year. This will greatly aid the transition [e.g. making changes to current services to accommodate the choices made by individuals and families, establishing Individualized Funding and planning supports].*

We have focused on efficiencies and savings in government and administration to reduce the projected deficit next year from $80 million to between $25 million and $30 million. This reduction is before any savings are sought through creative and innovative solutions in service delivery. We will be asking agencies, in agreement with individuals and families, to find between 4.5% and 5.0% in savings next year. Savings will be accomplished by offering choices to families and individuals and by accommodating those choices.

Changes based on individual and family choice will take time – they must be done gradually and they must respect people's right to choose. We have mutually agreed to recommend restructuring funding of between $45 million and $50 million using financial resources from this year's budget – these funds are intended to provide us this time and to support the cost of changes in forms of residential services.

We plan to bring the planning support function up early to ensure planning support is available and will begin training and orientation as quickly as possible to ensure that individuals, families and agencies get the information and support they require.

As a result of this work by the Ministry and community representatives it is anticipated that any change to any service to an individual or family will be based on the choices made by that individual or family. There will be no across the board cuts to services as was originally feared.

The working group spent considerable time developing possible solutions to the situations faced by individuals and families who are currently waitlisted for services. The recommendations include redirecting savings from some service changes to meet waitlist needs. Work will continue through the Interim Authority and details should be available shortly."[1]

Creating a budget plan that would maintain the support of the community, would protect individuals and families during transition and would provide sufficient funds to ensure a successful transition was initially seen as a major obstacle for both the Ministry and the community. The success of the work of the Joint Budget Working Group removes that obstacle.

It should be noted however, that the recommendations must still meet standards set by Treasury Board.

[1] Update to the Community Living Transition Steering Committee on the work of the Joint Budget Working Group, Doug Woollard/Deanna Kratzenberg, 10-22-2002

Establishment of the Interim Community Living Authority

On October 21st, the Minister introduced first reading of Bill 65 – *Community Services Interim Authorities Act*, into the Legislature. This Act will provide the Minister with the authority to create, by regulation, the Interim Community Living Authority. It is expected that Bill 65 will pass third reading and proclamation before the end of October. The Interim Community Living Authority should be created by Order in Council by mid-November.

Detailed Financial and Operational Planning and the Co-management of Community Living Services

The Interim Authority will be responsible for detailed financial and operational planning – this work will commence when the Interim Authority is created.

The creation of the Interim Authority will usher in a period of "co management" of community living services. Co management will be accomplished through the negotiation of a Memorandum of Understanding between the Minister and the Interim Authority. Under co management, services and staff will remain with the Ministry but the Interim Authority shall have the power to oversee transition planning, to second staff and hire consultants. The Ministry and the Interim Authority will share decision making power and management responsibilities over all aspects of community living services under terms of the Memorandum of Understanding.

Drafting of the Memorandum of Understanding was underway at the time of the writing of this report.

The Interim Community Living Authority will also be responsible for detailed transition planning and preparation work to ensure that the new Authority has the capacity to meet the Minister's standard of operational readiness before it assumes full responsibility for support and service delivery in the summer of 2003.

Phase Three: The New Community Living Authority

Subject to the acceptance of the recommendations in this report, legislation will be introduced in the spring 2003 session of the Legislature to create the new Authority.

Completing Transition

Under the leadership of the Interim Authority, the new Authority will be required to achieve a state of operational readiness based on criteria established by the Minister. Once the new Authority has achieved this state, it will assume full operational authority and responsibility for community living services.